

regulating the passage of ships across the oceans; to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of the State of California, protesting against passage of House bill 17485; to the Committee on the Public Lands.

Also, resolution of the Los Angeles Chamber of Commerce, of Los Angeles, Cal., favoring setting aside 1,000,000 acres of public lands lying in each of the Western States, to be sold for the purpose of raising funds to build good roads; to the Committee on the Public Lands.

Also, petition of the California Wholesale Grocers, favoring passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Resolution of the North Side Board of Trade of New York City, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

Also, petition of J. E. Rhoads & Sons, of New York City, against passage of House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Irving National Exchange Bank and George C. De Lacy, of New York City, for an appropriation to rebuild the levees along the Mississippi where breaks have occurred; to the Committee on Rivers and Harbors.

Also, petition of the Brotherhood of American Yeomen, for amending a section of the Post Office appropriation bill relating to publications of fraternal societies; to the Committee on the Post Office and Post Roads.

Also, petition of the McNab & Harlin Manufacturing Co., of New York City, relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT of New York: Resolution of the North Side Board of Trade, city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. TAYLOR of Colorado: Petition of Lodge No. 47, of the International Association of Machinists, of Denver, Colo., favoring passage of House bill 22339 and Senate bill 6172, known as the anti-Taylor system bills; to the Committee on Labor.

Also, petition of the International Association of Machinists, of Denver, Colo., favoring passage of the Hughes eight-hour bill; to the Committee on Labor.

By Mr. THAYER: Petitions of Sumner Leonard, of Grafton, and E. V. Dexter, of Worcester, Mass., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Worcester, Mass., for passage of House bill 22339 and Senate bill 6172; to the Committee on the Judiciary.

Also, petitions of citizens of the State of Massachusetts, for passage of House bill 20595, amending the patent laws; to the Committee on Patents.

Also, petition of the Baptist Church of North Uxbridge, Worcester County, Mass., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of the State of Massachusetts, favoring building one battleship in a Government navy yard; to the Committee on Naval Affairs.

SENATE.

MONDAY, April 29, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Friday last was read and approved.

JAMES HARVEY DENNIS v. UNITED STATES (S. DOC. NO. 619).

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of James Harvey Dennis v. United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 4314. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5193. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5415. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5493. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House had passed the following bills, each with an amendment, in which it requested the concurrence of the Senate:

S. 4623. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5624. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5670. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had passed the following bills and joint resolution, each with amendments, in which it requested the concurrence of the Senate:

S. 5045. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5194. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors; and

S. J. Res. 102. Joint resolution relative to the rebuilding of certain levees on the Mississippi River and its tributaries.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16493. An act to correct the military record of William Z. Norman;

H. R. 23063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent children of soldiers and sailors of said war;

H. R. 23515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors;

H. R. 23557. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 23765. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further requested the Senate to furnish the House with a duplicate engrossed copy of the bill (S. 2224) to amend "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, the original having been lost or mislaid.

CREDENTIALS.

Mr. SWANSON presented the credentials of THOMAS STAPLES MARTIN, chosen by the Legislature of the State of Virginia a Senator from that State for the term beginning March 4, 1913, which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the congregation of the First Presbyterian Church of Middletown, N. Y., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. CULLOM presented memorials of sundry citizens of Chicago, Maywood, Joliet, Oak Park, La Grange, Evanston, Berwyn, Mattoon, Wheaton, Riverside, Elmhurst, Champaign, Knoxville, Galesburg, Bloomington, Rockford, Brookfield, Mansfield, Morris, St. Charles, Moline, Centralia, Salem, Patoka, Danville, Decatur, Rochelle, Quincy, Wilmette, and Polo, all in the State of Illinois, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also (for Mr. LORIMER) presented memorials signed by 4,244 citizens of Illinois, remonstrating against the establishment of a department of health, which were ordered to lie on the table.

Mr. BROWN presented memorials of sundry citizens of Nebraska, members of the medical profession, remonstrating against the passage of the so-called Owen medical bill, which were ordered to lie on the table.

Mr. TOWNSEND. I present sundry memorials, signed by thousands of people of Michigan, many of whom I know to be prominent men, protesting against the passage of the Owen medical bill. I ask that one of the memorials be read.

The VICE PRESIDENT. Without objection, the Secretary will read one of the memorials.

The Secretary read as follows:

FLINT, MICH., April 27, 1912.

To the Hon. CHARLES E. TOWNSEND,
Washington, D. C.

DEAR SIR: In reference to the Owen bill, No. 1, and any other proposed legislation of this kind, you are respectfully asked to read into the CONGRESSIONAL RECORD the inclosed memorial, which, you will notice, is signed by many of our representative and influential citizens:

Hon. Col. O. Swayze, judge of probate; Otto P. Graff, county treasurer; Fred A. Wertman, county clerk; Clinton Roberts, attorney; Edward D. Black, attorney and ex-chairman Flint Board of Commerce; Clarence O. Hitchler; Moses Middleton, register of deeds; H. E. Potter, commissioner of schools; F. H. Rankin; and 160 others.

You have our sincere thanks and grateful appreciation for your kind efforts in behalf of medical freedom in the past and for this present cooperation in behalf of the cause.

Very truly, yours,

FLINT BRANCH OF THE NATIONAL
LEAGUE FOR MEDICAL FREEDOM,
BURRELL G. NEWMAN, Acting Chairman.

FLINT, MICH., April 27, 1912.

To the honorable Members of the United States Senate in Congress assembled:

We, the undersigned, citizens of the State of Michigan, respectfully protest against the passage of Senate bill No. 1, known as the Owen bill, providing for the creation of a national bureau of health, as we believe that such a bureau is entirely unnecessary, is contrary to the spirit of our institutions, and would inevitably result in the establishment of a medical monopoly.

The memorials presented by Mr. TOWNSEND of sundry citizens of Battle Creek, Port Huron, Kalamazoo, Greenville, Benton Harbor, Monroe, and Saginaw, all in the State of Michigan, remonstrating against the passage of the so-called Owen medical bill, were ordered to lie on the table.

Mr. TOWNSEND presented memorials of Fred McLean and 34 other citizens of Gratiot County; J. Den Herder and 31 other citizens of Ottawa County; D. Bekius and 65 other citizens of Ottawa County; Bert J. Van Oss and 69 other citizens of Ottawa County; F. Viklani and 7 other citizens of Ottawa County; Engbert Redded and 59 other citizens of Allegan County; T. Williams and 64 other citizens of Allegan County; A. Van Zanten and 35 other citizens of Holland; Lemon & Wheeler Co. and 4 other citizens of Kent County; T. H. Arum and 20 other citizens of Gratiot County; members of Harmony Arbor, of Gratiot County; A. J. Williams and 40 other citizens of Riverdale; Egbert Nyland and 49 other citizens of Ottawa County; Peter H. De Weerd and 43 other citizens of Zeeland; John B. Hudson and 37 other citizens of Middleton; and Frank Leestma and 63 other citizens of Ottawa County, all in the State of Michigan, remonstrating against the removal of the duty on sugar, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Jackson, Mich., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. JOHNSTON of Alabama presented resolutions adopted by General Joe Wheeler Camp, No. 1, Department of Alabama, United Spanish War Veterans, of Birmingham, Ala., favoring the enactment of legislation granting a pension of \$12 a month to the widows and minor children under the age of 16 of Spanish War veterans, which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Birmingham, Ala., remonstrating against the passage of the so-called Owen medical bill, which was ordered to lie on the table.

Mr. MYERS presented a petition of the congregation of the Baptist Church of Hamilton, Mont., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. GARDNER presented petitions of sundry citizens of Strong, East Brownfield, Winnegance, Southport, Belgrade Lakes, and Kennebec, all in the State of Maine, praying for the establishment of a governmental system of postal express, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Pine Tree Division, No. 66, Order of Railway Conductors, of Portland, Me., praying for the passage of the so-called employers' liability and workmen's compensation bill, which was ordered to lie on the table.

Mr. JOHNSON of Maine presented memorials of sundry citizens of Bangor, Brewer, Brunswick, and Pittsfield, all in the State of Maine, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

Mr. SANDERS presented a petition of sundry citizens of Roane County, Tenn., praying for the passage of the river and harbor appropriation bill and that no change be made in the item relating to the proposed lock and dam at Caney Creek Shoals below Kingston, Tenn., which was referred to the Committee on Commerce.

Mr. MARTINE of New Jersey presented resolutions adopted by the Presbytery of Elizabeth, in convention at Plainfield, N. J., favoring the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by members of the Democratic Association of Kearny, N. J., favoring an appropriation for the purchase of the estate of Monticello, in the State of Virginia, which were referred to the Committee on the Library.

Mr. WATSON presented a petition of New River Division, No. 140, Order of Railway Conductors, of Hinton, W. Va., and a petition of Local Division No. 472, Order of Railway Conductors, of Fairmont, W. Va., praying for the passage of the so-called employers' liability and workmen's compensation bill, which were ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church South of Ripley Circuit, W. Va., and a petition of the Woman's Christian Temperance Union, of Spencer, W. Va., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of Blackwater Grange, No. 152, Patrons of Husbandry, of Andover, N. H., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Charles M. Baldwin, of Dover, N. H., praying for the enactment of legislation to prohibit the use of trading coupons, which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Alliance of Jewish Women, of the rector of Trinity Church, of the Woman's Christian Temperance Union, of the Legion of Loyal Women, of the Wendell Wolfe Chapter, National Society of Daughters of the American Revolution, of the Aid Association for the Blind, of the Society for Protection of the Dignity and Honor of the United States, of the Capitol Hill History Club, of the Excelsior Literary Club, and of Chapter B, P. E. O., all of the District of Columbia, praying for the enactment of legislation to pension members of the police and fire departments in the District of Columbia, which were referred to the Committee on Appropriations.

He also presented the petition of Maude D. Eaton, president of the Local Council of Women, of Rhode Island, praying for the enactment of legislation providing for vocational education, which was ordered to lie on the table.

Mr. BRISTOW presented a petition of sundry citizens of Argonia and Wichita, in the State of Kansas, praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

He also presented a memorial of Lincoln Post, No. 1, Department of Kansas, Grand Army of the Republic, of Topeka, Kans., remonstrating against the incorporation of the Grand Army of the Republic, which was referred to the Committee on the District of Columbia.

He also presented petitions of the congregation of the First Baptist Church, of the Woman's Christian Temperance Union, and of the Political Science Club, all of Winfield, in the State of Kansas, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. GRONNA presented a petition of members of the Sunday School Association of Sargent County, N. Dak., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a memorial of Mouse River Lodge, No. 683, Brotherhood of Locomotive Firemen and Enginemen, of Minot, N. Dak., remonstrating against the passage of the so-called employers' liability and workmen's compensation bill, which was ordered to lie on the table.

Mr. JONES. I have several telegrams in the nature of memorials from citizens of the State of Washington denouncing the Owen medical bill as unprogressive, vicious, infamous, un-

American, and unpatriotic. I ask that the telegrams lie on the table and that the names of the senders be printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table and the names of the senders to be printed in the RECORD, as follows:

From J. W. Norwell, of Anacortes; A. E. Summer, of Anacortes; Dr. W. E. Maas, of Anacortes; C. L. Reed, of Bellingham; Mrs. Max Baumeister, of Walla Walla; J. W. Hodge, principal of the Franklin Public School, of Aberdeen; Grays Harbor Business College, C. S. Jackson, president, of Aberdeen; C. W. Van Horn, of Bellingham; Mrs. A. W. Deming, of Bellingham; Miss Jennie Schives, of Bellingham; the Washington Osteopathic Association, W. T. Thomas, of Tacoma; O. D. Sterling, teacher in the Whitman Conservatory, of Walla Walla; Dr. J. E. Lyon, of Spokane; Samuel Alsop, of Bellingham; N. C. Wilson, of Walla Walla; M. F. Waldron, Bellingham; J. C. Marmaduke, of Seattle; Ed. A. Beekman, of Tacoma; H. W. Thompson, mayor; G. F. Burdette, Dr. I. N. Richardson, osteopathic physician; J. G. Sargent, M. D.; Frank Frye, osteopath; W. F. Matthewson, minister of the gospel; Robert J. Reid, minister of the gospel; Herbert E. Ryder, minister of the gospel, of Centralia; W. F. Robinson, of Anacortes; and J. W. Clark, F. W. Loomis, J. J. Carney, Frank Lawies, and Albin Peterson, of Aberdeen.

Mr. JONES. I also present a large number of letters signed by citizens of Bellingham, Spokane, Everett, Puyallup, Seattle, in the State of Washington, remonstrating against the passage of the same bill. I move that the letters lie on the table.

The motion was agreed to.

Mr. JONES. I present a number of telegrams and letters indorsing the employers' liability and workmen's compensation bill. I ask that the telegrams and letters lie on the table, and that the signatures be printed in the RECORD.

There being no objection, the telegrams and letters were ordered to lie on the table and the signatures to be printed in the RECORD, as follows:

From John J. Malim, secretary and treasurer Division No. 238, Brotherhood of Locomotive Engineers, of Tacoma; N. Ryan, chief engineer, P. B. Coyne, secretary and treasurer, Division No. 758, Brotherhood of Locomotive Engineers, of Vancouver; J. J. Grant, secretary of Division No. 399, Brotherhood of Locomotive Engineers, of Seattle; W. W. Wolcott, general chairman general grievance committee, Brotherhood of Railroad Trainmen, of Malden; C. A. Pratt, chairman, Hamilton Higday, commissioner of the Industrial Insurance Commission, of Olympia; and C. A. Hubbard, State labor commissioner, of Olympia.

Mr. LEA presented a petition of sundry citizens of Roane County, Tenn., praying for the passage of the river and harbor bill, and that no change be made in the item relative to the proposed lock and dam at Caney Creek Shoals below Kingston, Tenn., which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Tennessee, remonstrating against the passage of the so-called Owen medical bill, which was ordered to lie on the table.

Mr. O'GORMAN. I present a telegram in the nature of a memorial from members of the New York Branch, National League for Medical Freedom. I ask that the telegram lie on the table and be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

BUFFALO, N. Y., April 17, 1912.

Hon. JAMES O'GORMAN,
United States Senate, Washington, D. C.:

We urge you to use your influence to defeat the Owen bill now before the Senate, providing for a department or bureau of health. There is no public demand for it, and it will not protect health any better than it is now protected. It is a subtle and dangerous bill and would confer special power to a privilege-seeking class who would use their new power to force certain methods of treatment upon the citizens whether sick or well regardless of their wishes. Recent compulsory vaccination against typhoid in the Army and Navy is proof. We have 15,000 members in this State, many of whom are physicians of all schools, who are sure the Owen bill threatens the freedom of the individual to select the practitioner of his choice in time of illness.

NEW YORK STATE BRANCH OF THE
NATIONAL LEAGUE FOR MEDICAL FREEDOM.

Mr. O'GORMAN presented petitions of sundry citizens of New York City, Brooklyn, and Hudson, all in the State of New York, praying for the enactment of legislation to regulate the method of directing the work of Government employees, which were referred to the Committee on Naval Affairs.

Mr. ASHURST presented a petition of the Chamber of Commerce of Douglas, Ariz., praying for the enactment of legislation providing for an increase in the number of United States troops on duty at Douglas, Ariz., and along the Mexican border, which was referred to the Committee on Military Affairs.

Mr. OVERMAN presented a telegram, in the nature of a memorial, from W. M. Swain, of Jonesville, N. C., remonstrating

against the passage of the so-called Owen medical bill, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Spencer and Salisbury, N. C., remonstrating against the so-called Taylor system of shop management, which was referred to the Committee on Naval Affairs.

Mr. ROOT presented a petition of Charlotte Center Grange, No. 669, Patrons of Husbandry, of Charlotte, N. Y., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Amsterdam, Auburn, Batavia, Bath, Buffalo, Elmira, Gloversville, Herkimer, Hornell, Jamestown, Newburgh, Niagara Falls, Oneida, Oneonta, Oswego, Rome, St. Johnsville, Saratoga Springs, Syracuse, Utica, White Plains, and Yonkers, all in the State of New York, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

Mr. PERKINS presented telegrams in the nature of memorials from the Osteopathic Association of California, the Eclectic Medical Society of California, and of the Sacramento Branch National League for Medical Freedom, and a memorial of R. L. Craig & Co., of Los Angeles, Cal., remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also presented resolutions adopted at the forty-fifth annual encampment of the Department of California and Nevada, Grand Army of the Republic, at Stockton, Cal., remonstrating against the abolishment of the pension office at San Francisco, Cal., which were referred to the Committee on Pensions.

He also presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the enactment of legislation to prohibit the towing of log rafts at sea, which was referred to the Committee on Commerce.

He also presented resolutions adopted by the Labor Council of San Francisco, Cal., and a petition of H. Howard Cassidy, of Berkeley, Cal., favoring a revision of the laws governing the equipment and management of vessels, which were referred to the Committee on Commerce.

Mr. RAYNER presented a petition of My Maryland Lodge, No. 186, International Association of Machinists, of Baltimore, Md., praying for the enactment of legislation to regulate the method of directing the work of Government employees, which was referred to the Committee on Naval Affairs.

He also presented a memorial of sundry citizens of Maryland, remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. BURTON presented a petition of sundry citizens of Cincinnati, Ohio, praying for the enactment of legislation to regulate the method of directing the work of Government employees, which was referred to the Committee on Naval Affairs.

He also presented memorials of sundry citizens of Scott, Van Wert, Cavett, Fort Wayne, Antwerp, Cecil, Defiance, Sherwood, Hicksville, Paulding, Payne, Princeton, Melrose, Oakwood, Convoy, Celina, Burkettsville, Grover Hill, Rockford, and Ohio City, all in the State of Ohio, remonstrating against any reduction of the duty on sugar, which were referred to the Committee on Finance.

Mr. McCUMBER presented a petition of members of the Sunday School Association of Sargent, N. Dak., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Edgeley, N. Dak., remonstrating against any change being made in the patent laws, which was referred to the Committee on Patents.

BRITISH WORKMEN'S COMPENSATION ACTS (S. DOC. NO. 618).

Mr. SUTHERLAND. I present certain data prepared by the secretary of the Federal Employers' Liability and Workmen's Compensation Commission in reference to the operation of British workmen's compensation acts. I ask that the paper be printed as a Senate document.

The VICE PRESIDENT. Without objection, an order will be entered therefor.

ADDRESSES BY PRESIDENT TAFT AND EX-PRESIDENT ROOSEVELT.

Mr. REED. Mr. President, I desire to ask unanimous consent to have printed in the RECORD and as a public document the address of President Taft, delivered on the 25th day of April at Boston (S. Doc. No. 615).

Mr. SMOOT. I understood the Senator to request that it be printed in the RECORD and also as a public document.

Mr. REED. Yes.

Mr. SMOOT. Why not just print it as a public document?

Mr. REED. That would be satisfactory, if the Senator objects to its going into the RECORD.

Mr. SMOOT. I also ask the Senator if it is a report of the speech or is it the speech actually delivered?

Mr. REED. It is the speech delivered; it purports to have been printed from manuscript; and it ought to be absolutely correct. It is from the Washington Post. I am not asking to have anything printed but the speech.

Mr. SMOOT. I will hand the speech to the Senator, so that there may be no mistake. I have no objection at all to its being printed as a public document.

Mr. CULBERSON. What is the date of the speech?

Mr. REED. It is the speech of President Taft, delivered April 25, 1912.

Mr. CULBERSON. I will ask the Senator if he proposes to have printed the reply?

Mr. REED. At this time I am asking to have printed the speech.

The VICE PRESIDENT. Without objection, an order is entered to print the speech as a public document.

Mr. REED. Now, Mr. President, I will ask that the speech of ex-President Roosevelt in reply, delivered on the 26th day of April at Worcester, Mass., be printed as a public document (S. Doc. No. 616). I think that this is but fair, in order that these valuable contributions to our national history may be preserved.

The VICE PRESIDENT. Without objection, an order will be entered to print, as requested.

Mr. REED. I now ask unanimous consent to have printed as a public document the reply of President Taft to the reply of ex-President Roosevelt to the reply of President Taft (S. Doc. No. 617).

The VICE PRESIDENT. Without objection, an order therefor will be entered.

Mr. SMOOT. Before the order is made, I should like to ask the Senator if the reply is simply as reported in the papers, or is it the reply actually delivered by the President? If it is simply a newspaper report, I certainly would object to its being printed as a public document unless it is absolutely correct.

Mr. REED. Mr. President, it is the prepared statement of the President given to the press, and it is as printed in this morning's Washington Post, a very reliable paper, at least when it is reporting the President.

Mr. SMOOT. I have no objection at all, if it is the reply.

Mr. REED. It bears the purported signature, in print, of course, of the President.

Mr. SMOOT. I have no objection, if it bears the signature of the President.

The VICE PRESIDENT. The Chair hears no objection, and the order is entered as requested.

PAYMENT OF MONEY IN POLITICAL CAMPAIGNS.

Mr. JOHNSTON of Alabama. From the Committee on Privileges and Elections I report back with amendments Senate resolution 79, and I submit a report (No. 681) thereon.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the resolution.

Mr. GALLINGER. I think it had better go over, Mr. President. I should like to look at it.

The VICE PRESIDENT. Objection is made.

Mr. CULBERSON. I should like to have the resolution appear in the RECORD.

The VICE PRESIDENT. Without objection, the Secretary will read the resolution before it goes over.

The Secretary read the resolution, as follows:

Resolved, First. That the Committee on Privileges and Elections of the Senate be, and it is hereby, directed to inquire and report to the Senate as early as practicable the amount of money subscribed and paid to the national committees of all political parties and the national congressional campaign committees of all political parties or to any member of such committee, or to any person acting under the authority of or on behalf of such committee as treasurer or otherwise, by any person, firm, association, corporation, or committee to influence the result or attempt to influence the result of the election November 8, 1904, and November 3, 1908, at which Representatives in the Congress of the United States were elected, giving the names of such persons, firms, associations, corporations, or committees, and the respective amounts subscribed and paid by each of them as aforesaid.

Second. That said committee is authorized to sit during the sessions of the Senate and during any recess of the Senate or of the Congress; to hold sessions at such place or places as it may deem most convenient for the purposes of this inquiry; to employ stenographers and such other clerical force as may be deemed necessary; to send for persons, books, records, and papers; to administer oaths; and that the expenses of the inquiry be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Third. That said committee shall also report to the Senate what measures, if any, are necessary to further prohibit or curtail such subscriptions and payments so as to lessen and confine them to proper and legitimate objects in relation to such elections and prevent the undue or corrupt use of money in such elections.

Mr. GALLINGER. I will ask the Senator from Texas if this is the resolution he offered some time ago?

Mr. CULBERSON. I offered it June 22, 1911.

Mr. GALLINGER. I shall not object to its present consideration. I did not understand it to be that resolution.

Mr. CULBERSON. It was reported from the Committee to Audit and Control the Contingent Expenses of the Senate March 4 last, and referred to the Committee on Privileges and Elections.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none. The resolution is before the Senate and the Secretary will report the amendments of the committee.

The amendments were, on page 1, line 2, after the word "Senate," to insert the words "or any subcommittee thereof"; in line 7, to strike out the word "committee" and insert the word "committees"; in line 9, to strike out the word "committee" and insert the word "committees"; on page 2, line 4, after the word "committee," to insert the words "or subcommittees"; in line 10, to strike out "book" and insert "books"; and in line 13, after the word "committee," to insert the words "or subcommittee," so as to make the resolution read:

Resolved, First. That the Committee on Privileges and Elections of the Senate or any subcommittee thereof be, and it is hereby, directed to inquire and report to the Senate as early as practicable the amount of money subscribed and paid to the national committees of all political parties and the national congressional campaign committees of all political parties or to any member of such committees, or to any person acting under the authority of or on behalf of such committees as treasurer or otherwise, by any person, firm, association, corporation, or committee to influence the result or attempt to influence the result of the election November 8, 1904, and November 3, 1908, at which Representatives in the Congress of the United States were elected, giving the names of such persons, firms, associations, corporations, or committees, and the respective amounts subscribed and paid by each of them as aforesaid.

Second. That said committee or subcommittee is authorized to sit during the sessions of the Senate and during any recess of the Senate or of the Congress; to hold sessions at such place or places as it may deem most convenient for the purposes of this inquiry; to employ stenographers and such other clerical force as may be deemed necessary; to send for persons, books, records, and papers; to administer oaths; and that the expenses of the inquiry be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee or subcommittee.

Third. That said committee shall also report to the Senate what measures, if any, are necessary to further prohibit or curtail such subscriptions and payments so as to lessen and confine them to proper and legitimate objects in relation to such elections and prevent the undue or corrupt use of money in such elections.

The amendments were agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DU PONT:

A bill (S. 6584) granting an increase of pension to Fanny Farley; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 6585) increasing the appropriation for the extension, alteration, and improvement of the public building in the city of Concord, N. H.; to the Committee on Public Buildings and Grounds.

A bill (S. 6586) to amend section 749, subchapter 12, of the Code of Law of the District of Columbia, relating to fraternal beneficial associations; to the Committee on the District of Columbia.

By Mr. BRISTOW:

A bill (S. 6587) legalizing certain conveyances heretofore made by the Union Pacific Railroad Co.; to the Committee on the Judiciary.

A bill (S. 6588) granting a pension to Frederick O. Nims (with accompanying papers); to the Committee on Pensions.

By Mr. CATRON:

A bill (S. 6589) providing an appropriation for the sinking of a public well at Newkirk, Guadalupe County, N. Mex.; to the Committee on Appropriations.

A bill (S. 6590) to establish a fish-cultural station in the State of New Mexico; to the Committee on Fisheries.

By Mr. GRONNA:

A bill (S. 6591) to prohibit selling of intoxicating beverages in the Territory of Hawaii; to the Committee on Pacific Islands and Porto Rico.

By Mr. WARREN:

A bill (S. 6592) to amend the enlarged-homestead act; to the Committee on Public Lands.

By Mr. SWANSON:

A bill (S. 6593) authorizing the purchase of the Natural Bridge of Virginia; to the Committee on Agriculture and Forestry.

By Mr. WATSON:

A bill (S. 6594) granting a pension to Mary D. Pierson; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 6595) granting a pension to Nettie Hustler; to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 6596) to provide for the purchase of a site and the erection of a public building thereon in the town of Fort Fairfield, in the State of Maine; to the Committee on Public Buildings and Grounds.

By Mr. SANDERS:

A bill (S. 6597) for the relief of the Grand Lodge of Tennessee, Independent Order of Odd Fellows (with accompanying paper); to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 6598) granting a pension to John Kinney; and A bill (S. 6599) granting a pension to William H. Wolfe; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 6600) providing for the appropriation of money for the construction of State and interstate highways and post roads, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GARDNER:

A bill (S. 6601) granting an increase of pension to John W. Palmer (with accompanying paper); to the Committee on Pensions.

By Mr. DAVIS:

A bill (S. 6602) granting an increase of pension to Francis M. Haynes; to the Committee on Pensions.

By Mr. SIMMONS:

A bill (S. 6603) authorizing the Secretary of the Treasury to convey to the city of Wilmington, N. C., portion of the marine-hospital reservation not needed for marine-hospital purposes; to the Committee on Military Affairs.

By Mr. JONES:

A bill (S. 6604) to amend the act of July 2, 1890 (26 Stats., p. 209), entitled "An act to protect trade and commerce against unlawful restraint and monopolies"; to the Committee on Interstate Commerce.

By Mr. STEPHENSON:

A bill (S. 6605) granting an increase of pension to Samuel Priest; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 6606) granting an increase of pension to Solomon Wilburn (with accompanying paper); to the Committee on Pensions.

By Mr. BOURNE:

A bill (S. 6607) granting an increase of pension to Martin J. Tunney (with accompanying paper); and

A bill (S. 6608) granting a pension to Lydia Blanke (with accompanying paper); to the Committee on Pensions.

A bill (S. 6609) to establish a parcel-post system and to fix rates of postage on certain classes of mail; to the Committee on Post Offices and Post Roads.

By Mr. ASHURST:

A bill (S. 6610) to amend an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909; to the Committee on Public Lands.

By Mr. LEA:

A bill (S. 6611) for the relief of the estate of Marcus Stevens; to the Committee on Claims.

A bill (S. 6612) for the establishment of a fish-cultural station in the State of Tennessee; to the Committee on Fisheries.

A bill (S. 6613) granting a pension to Fred Prebe; to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 6614) to authorize the construction of a pontoon bridge across the Red River of the North between Pembina, N. Dak., and St. Vincent, Minn. (with accompanying papers); to the Committee on Commerce.

By Mr. PAGE:

A bill (S. 6615) granting an increase of pension to Edgar Bullard (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO RIVER AND HARBOR BILL (H. R. 21477).

Mr. OLIVER submitted an amendment proposing to appropriate \$10,000,000 to perform the engineering work necessary for the construction of a proposed waterway suitable for the transportation of steamships, steamboats, barges, or other vessels, from the junction of the Ohio and Beaver Rivers, Pa., by way of the Beaver and Mahoning Rivers, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. JOHNSTON of Alabama submitted an amendment appropriating \$100,000 for the deepening of the channel of the outer

bar connecting the Bay of Mobile, Ala., with the Gulf of Mexico, intended to be proposed by him to the river and harbor appropriation bill, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Commerce.

Mr. SHIVELY submitted an amendment relative to a report on the practicability and probable cost of the construction of the artificial waterway from Lake Erie at or near Toledo, Ohio, to the southerly end of Lake Michigan, by way of Maumee River and the city of Fort Wayne, Ind., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. WETMORE submitted an amendment relative to the filling of vacancies in the membership of the Board of Managers of the National Home for Disabled Volunteer Soldiers, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. JONES submitted an amendment proposing to appropriate \$25,000 for the establishment of a fish-cultural station in the State of Washington, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$50,000 for the establishment on the coast of the Pacific States of a station for the investigation of problems connected with the marine fishery interests of that region, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CRANE submitted an amendment proposing to appropriate \$250,000 for an underground pneumatic or electric system for transporting parcels and documents between the Capitol and the House and Senate Office Buildings, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

He also submitted an amendment proposing to appropriate \$1,000,000 for an underground pneumatic or electric system capable of transporting parcels and documents between the White House and the various executive departments, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

EIGHT-HOUR LAW.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 9061) limiting the hours of daily service of laborers and mechanics employed upon work done for the United States or for any Territory or for the District of Columbia, and for other purposes, which was ordered to lie on the table and to be printed.

EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION.

Mr. SMITH of Georgia. I submit a number of proposed amendments which I intend to offer on Thursday next to the bill (S. 5382) to provide an exclusive remedy and compensation for accidental injuries, resulting in disability or death, to employees of common carriers by railroad engaged in interstate or foreign commerce or in the District of Columbia, and for other purposes, which is the subject set for consideration on that day. I desire to submit the amendments to the Senate to-day, and ask that they lie on the table and be printed for the information and use of the Senate.

The VICE PRESIDENT. The amendments will lie on the table and be printed.

THE METAL SCHEDULE.

Mr. CUMMINS. I present an amendment, which I shall offer at the proper time, to House bill 18642. I ask that it be printed and lie on the table.

The VICE PRESIDENT. The proposed amendment will be printed and lie on the table, without objection.

Mr. CUMMINS. Mr. President, I give notice that on Wednesday morning of this week, immediately following the routine morning business, I shall address the Senate upon the amendment I have sent to the desk, it being an amendment to what is generally known as the metal schedule tariff bill.

SPECIAL AGENTS AND SECRET SERVICE.

Mr. BORAH submitted the following resolution (S. Res. 293), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to furnish the Senate with a statement showing the amount of money expended in the last five years for special agents and Secret Service men by that department.

Second. The number of special agents or Secret Service men now in the employ or service of that department.

Third. A full statement as to the method pursued in making reports of said special agents upon homestead entries and what opportunity is given the entryman to see and examine the reports made by special agents against their homesteads.

W. K. SPILLER AND OTHERS.

Mr. JOHNSTON of Alabama submitted the following resolution (S. Res. 294), which was read and referred to the Committee on Claims:

Resolved by the Senate, That the findings of fact by the Court of Claims in the case of W. K. Spiller, administrator of the estate of C. C. Spiller, deceased, against the United States, as contained and set forth in Senate Document No. 173, Fifty-ninth Congress, second session, transmitted to the Senate by said court December 28, 1906, and now pending on the files of the Senate, be, and the same is hereby, referred back to the Court of Claims for additional and fuller findings of fact by said court, to be reported to the Senate by said court, in order that Congress may be better informed as to the following facts, viz:

Whether the claimant decedent, C. C. Spiller, took the oath of allegiance to the United States and an oath of amnesty, and when.

Whether said decedent Spiller, subsequent to taking said oath of allegiance, entered the service of the United States, and in what capacity, and what was the character of the service performed and the time of its duration.

Whether the property mentioned in said findings as taken and used by the military forces of the United States, or by the United States, was so taken and used while said decedent Spiller was in the Government service and a loyal citizen of the United States.

Whether a military board of claims was appointed April 12, 1864, at the headquarters of the Department of the Cumberland, Chattanooga, Tenn., to fix the amount of damage sustained by the loyal citizens of that region in consequence of military occupation, and by whom appointed, and the names of the officers constituting said board, and what, if any, action was taken by said board as to said claim of the decedent, C. C. Spiller; and at what time the report of said board was forwarded to the Secretary of War and received by said Secretary, and the action taken thereon by the War Department.

Whether the claim for the loss of the steamboat Paint Rock in said findings mentioned was presented to the Government for payment and acted upon by the accounting officers of the Treasury, giving the date said claim was received by the department and finally acted upon by the accounting officers of the Government.

MISSISSIPPI RIVER LEVEES.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 102) relative to the rebuilding of certain levees on the Mississippi River and its tributaries, which were, on page 1, line 13, to strike out "funds remaining" and insert "any money," and on page 2, line 2, to strike out "may" and insert "shall first."

Mr. PERCY. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

THE METAL SCHEDULE.

Mr. SIMMONS. I desire to give notice that on to-morrow, Tuesday, after the conclusion of the morning business, I will submit to the Senate some remarks upon the bill to revise Schedule C, known as the metal schedule.

DEPARTMENT OF HEALTH.

Mr. WORKS. Mr. President, I ask that Senate bill No. 1 be laid before the Senate.

The VICE PRESIDENT. Without objection, Senate bill No. 1 will be laid before the Senate for purposes of discussion only, as the Chair understands.

Mr. WORKS. That is my desire.

The VICE PRESIDENT. The bill will be stated by title.

The SECRETARY. A bill (S. 1) to establish a department of health, and for other purposes.

Mr. WORKS. Mr. President, this bill presents some serious and important questions. For that reason I have prepared what I desire to say with more than ordinary care in order that I may be as nearly accurate as possible. I desire that what I say shall appear in consecutive order, and therefore I ask the indulgence of Senators that I may not be interrupted during the delivery of my remarks.

The speech is longer than I should like to have it; it contains a number of quotations that I shall not wish to read, and I ask in advance that I may be allowed to omit the reading of such quotations as I desire without asking leave to do so specifically in each instance.

The VICE PRESIDENT. Without objection, permission is granted as requested.

Mr. WORKS. Mr. President, I had the honor, soon after I became a member of this body, to discuss this bill from the standpoint of Christian Scientists, to whom, in its then form, it was most objectionable. Since then it has been amended in a number of material particulars, relieving it, in some respects, from the objections then urged against it. At this time I desire to consider it in a broader and more comprehensive way, as it affects not Christian Scientists alone but the whole people. This

will necessarily lead me to comment not only upon the bill as it appears on its face, but upon the forces and motives behind it, and the ultimate objects and purposes of this movement, who want it, and what for.

I am sorry that I feel myself impelled by a sense of duty to say some unpleasant things, but I shall say them as pleasantly as I can, and without any intention of giving offense. I shall have to question and challenge some of the most cherished beliefs and convictions of Members of this body and of many other good people, convictions sincerely and honestly entertained by them. But I am happy to say that I entertain no sense of malice, hatred, or ill will toward any human being, alive or dead, or of unfriendly antagonism toward the views, honestly entertained, of any man. I shall not hesitate, however, to speak my own convictions freely and frankly and to point out and comment without reserve upon some of the evils that are attempted to be maintained and perpetuated by this bill and legislation which is expected to follow it.

I shall feel myself called upon to assail the motives and conduct of members of the medical profession, in their organized form, as the American Medical Association. But this is in no sense a personal matter, nor is it prompted by any sense of ill will. There are many high-minded, noble, self-sacrificing men and women in the profession who are conscientiously devoting their lives to the healing of disease and the amelioration of human suffering. In what I shall say on this subject, I am not speaking of such as these, but of the self-seeking, intolerant political doctors who are serving their own selfish interests and not the public good.

The avowed purpose of seeking new legislation was, in the beginning, to establish a department of Government with a doctor of medicine at its head, a member of the President's Cabinet, possessed of the almost autocratic, unlimited, and unrestrained power belonging to such a department. This movement was instigated and maintained by the American Medical Association, one of the most powerful trusts, in its management, in the country. While there were many sincere and honest, but misguided, people inside and outside of the association behind it, the motive power which was pressing it forward was this political branch of the association. Its officials and agents, with their powerful organization, were simply using its members and others less selfish and unpopular to deceive the public and Congress and conceal the real motives that actuated the effort. This motive and the real object, purely selfish on their part, were studiously and skillfully concealed under the mask of humanitarianism. The League for Medical Freedom, a voluntary organization composed of hundreds of thousands of citizens of all classes in all walks of life, knowing the hypocrisy of the instigators of new legislation on this subject, made common cause against it and have exposed its objects and pointed out the injurious effects of the passage of the proposed bill. One of the chief causes of complaint was that it would create a monopoly in one school of medicine, with one of their number, a Cabinet officer, at its head, to the exclusion of every other school of medicine or other modes of healing. This purpose was disclaimed by the author of the bill, the Senator from Oklahoma [Mr. OWEN], but the form of the bill, the fact that then and now all surgeons and other medical employees of the Government were and are of that school of medicine, to the exclusion of all others, and the declarations of parties interested in the bill as to their ultimate object and purpose in urging the passage of it showed conclusively that the Senator from Oklahoma was entirely mistaken.

It became so apparent that such was the purpose, and it was so obnoxious to every man who believes in medical as well as religious freedom, that friends of the bill voluntarily offered the following amendment to relieve it from this objection which they soon found would defeat it:

And provided further, That the bureau of health established by this act shall have no power to regulate the practice of medicine or the practice of healing or to interfere with the right of a citizen to employ the practitioner of his choice, and all appointments within the bureau, including the head of the bureau, shall be made without discrimination against any school of medicine or of healing.

They soon found, also, that the effort to secure a place in the Cabinet and make the health bureau a department of the Government was hopeless, and that was abandoned.

Thus shorn of the things they most desired, the bill has become unnecessary and useless. It adds no power to the several bureaus in the different departments intended to protect and preserve the public health, and can not increase their activities, except that of collecting and disseminating information. Therefore, if I did not know that this abandonment of the objectionable features of the bill was for the ulterior purpose of making it a beginning and then following it up step by step until they have attained their original object, which they could not reach

by direct action, I should have but little reason to consume the time of the Senate in opposing its passage.

But, Mr. President, I know what I am talking about when I say to the Senate that they have never abandoned their original purpose of taking over into their own hands the medical activities of the Government and of confining their administration and the enforcement of their powers in the one school of medicine to the exclusion of all others. As I shall show the Senate a little later, some of these doctors and their publications, less discreet than some others, have made the most startling statements of their intention to establish and control a state medicine in its most extreme and objectionable form. Since the bill has been amended, as I have stated, I said to one of the most earnest supporters of the idea of a department of medicine, and a distinguished citizen and educator, "Why do you want this bill in its amended form? It does not increase the powers of the medical bureaus or accomplish anything you want." He said, "It is not satisfactory to us, but it will be a beginning and we will follow it up until we get what we want," or words to that effect.

This was a frank and perfectly honest declaration of their purpose and intention, and their reason, and the only plausible reason, for accepting a bill with everything that they really wanted taken out of it by amendment.

Therefore, Mr. President, I am going to consider this bill precisely as if it provided in terms for the things to which I so seriously object, because that is the ultimate purpose which should be met at the outset, and this bill is only one step toward its final accomplishment. But for the final object in view the bill would not be worth the attention of its alleged friends.

Mr. President, there are various healing agencies at work in this country to-day. Some are schools of medical healing which depend upon drugs as the means of cure. Others depend upon manipulation of the body; others depend upon the action of one mind upon another as a means of healing; and still another upon the operation of the Divine mind in the establishment of harmony, the regeneration of man and his restoration to health by that means. To the latter the use of drugs is regarded as a menace to life and health and opposed to their conscientious religious beliefs.

These different schools and other modes of healing may be divided into groups. It is impossible in the scope of such an address as this to consider or even mention them all. I will, therefore, confine myself to a few of the leading ones of each class. In the schools of healing by drugs may be named the allopaths, the homeopaths, and the eclectics. The healing by the action of one mind over another may be classed under the general designation of mesmerism, hypnotism, or suggestion—all meaning practically the same thing—and Christian Science, the one distinctive mode of healing by the operation of the Divine mind according to the teachings of Jesus of Nazareth.

No two of these schools of medicine, or other modes of healing, agree with each other. While some of them agree in the use of drugs as a means of healing, they are entirely at variance as to the kinds of medicines to be used, the quantity to be administered, and the principle upon which the system of drug healing is based. The allopathic school of medicine is the oldest and best known. Its devotees are wholly dogmatic and intolerant. They assume that there is no other efficacious mode of healing but theirs, and that all other practitioners are incompetents and a menace to the public health. They have formed one of the most powerful organizations of any kind in the country. They are ruthlessly using that power not to improve the practitioners of their own school only but to coerce all people to accept their remedies and to suppress, by law and by persecution, the practice of other means of healing. The American Medical Association is working in every State in the Union to secure laws which will prevent any but practitioners of their school from practicing the art of healing. They have secured such laws in some of the States, as I shall show farther along, and are tireless in their efforts to secure other like restrictive laws in all other States. Having only partially succeeded in their efforts in this direction in the States, they have for a long time been besieging Congress to help them to entrench themselves with all the powers of the Government behind them where they will be supreme and may absolutely exclude all other practitioners than theirs from the practice of healing. They are using all the money and influence they can bring to bear and are practicing on the credulity of an ignorant public sentiment by the pretense that all of this is for the public good. Through their efforts the much-dreaded practice of vaccination, which has, in my opinion, sacrificed more lives than it has saved and maimed and made invalids of thousands, has been made compulsory by law; and now other serum remedies, alleged to be preventives of various diseases and equally dangerous, loath-

some, and objectionable, are being forced upon the people whether they want them or not.

The officers of the Army and Navy are the willing instruments of these medical men to compel American citizens to submit to be poisoned with their loathsome preparations. If a soldier or sailor refuses to submit to vaccination or other serum treatment for typhoid fever and other diseases, he is promptly dismissed the service, or placed in irons until he submits, or is otherwise punished. And now these doctors want Congress to so legislate as to give them full control of the medical, sanitary, and hygienic activities and bureaus of the Government that their powers may be complete.

The doctors of this school hold every medical position in the Government, to the exclusion of every other school, and no one who believes in the prevention or healing of disease by any other means than theirs need apply.

Mr. President, the one great trouble is that the people do not think for themselves in any matter affecting the public health. They have preferred to rely upon the doctors and to be guided and controlled by them. Public officials and the Congress of the United States do not trouble themselves about it or hold themselves responsible. They generally evince a sublime indifference to the subject beyond what the doctors say or recommend, and the people are fleeced of millions of dollars in alleged works for the public health which had better be thrown away. They have much more faith in the doctors than the doctors have in themselves or in each other. The competent doctor has long since learned that drugs are a poison and that they do not heal. Consequently the conscientious doctor no longer gives or advises the giving or taking of drugs. But the incompetent and selfish and unworthy still makes his living that way.

The allopathic school of medicine is noted for the quantity of medicines they administer and their nauseous and distasteful character—so much so that their mode of treatment is often characterized as cruel and inhuman. So deleterious and harmful are their drugs that the homeopaths claim that a large part of their practice comes from those who have temporarily or permanently suffered from the effects of allopathic drugs. But I am glad to say that the better and more intelligent physicians of their school have given up the use of their strong drugs in a great degree. Their experience has taught them that such drugs do not heal, but engender and cause disease. Let us hope that they may soon reach that degree of intelligence that will lead them to cease the use of any drugs altogether. It would be a blessing to the human race if they would at the same time teach their patients to know what they have learned, that an inanimate drug has no healing quality and had better not be used. The people have been erroneously taught to rely upon drugs for their healing and have blindly believed in them so long that to deprive them of them would be disastrous until they learn that lesson. Drugs and the drug doctors' ministrations of them have healed disease only because of the faith of the patient in the doctor and his drugs, and for no other reason. Doctors themselves bear witness to this fact.

In speaking of this subject, Dr. William Osler, formerly of Johns Hopkins Medical School, in an article in the *Americana*, uses this language:

Yet after all the psychical method has always played an important though largely unrecognized part in therapeutics. It is from faith, which buoys up the spirits, sets the blood flowing more freely, and the nerves playing their parts without disturbance, that a large part of all cures arises. Dependancy, or lack of faith, will often sink the stoutest constitution almost to death's door; faith will enable a bread pill or a spoonful of clear water to do almost miracles of healing when the best medicines have been given over in despair. The basis of the entire profession of medicine is faith in the doctor and his drugs and his methods. This is no new discovery. It was said by Galen that "he works the most cures in whom most have faith," and the doctor-chemist-charlatan Paracelsus, who died of taking a universal panacea too poisonous even for his confidence, told his patients to have full faith and a strong imagination and they would see the effects of it.

This is strong language to come from such a source. The truth of it will not be denied by any well-informed and conscientious medical practitioner.

I ask the Senate to consider carefully this one statement contained in this article:

The basis of the entire profession of medicine is faith in the doctor and his drugs and his methods.

That is a remarkable statement. It comes from an eminent and noted medical practitioner of the allopathic school, and is a permanent contribution to the mass of information on the subject that can not be entered upon here, appearing as it does in one of the leading modern encyclopedias.

Mr. President, I may be pardoned if I stop here to point out the difference between the patients of medical practitioners and Christian Scientists in respect of this question of faith. The believer in the doctor and his drugs has faith in a human being and his means of cure, while the Christian Scientist has un-

shaken and supreme faith in the omnipotence and beneficent influence of the Divine Being in the healing of disease. I leave it to the candid judgment of Senators to say which of these is most worthy of faith and trust. But the Christian Scientist does not rest on faith alone, but upon such understanding as he has of the power of God to heal and upon good works by which that healing may be brought about.

The drugging system of the homeopathic school of medicine is entirely different from that of the allopathic school and is founded on a wholly different principle. I have no doubt its rise was largely due to the protest against the cruel and inhuman practices of the old school.

There are some commendable features of homeopathic medication as compared with the old school. Their medicines are less in quantity and not so nauseous or distasteful, and while they can no more heal disease, except by faith, than can the allopathic drugs, they are far less injurious to the human system. They are less harmful to humanity, and that is a good deal.

Then came the modern school of eclectics. The theory of practice adopted by this school is entirely different from the others. Its founder and his followers were still searching for a better means of healing disease and saving human life. And still mankind is not satisfied. It is beginning to be understood now by all medical practitioners that the one great thing to be done is not to heal disease, in which they have signally failed, but to prevent it. They have learned, too, that the way to prevent disease is not by the use of drugs, in the form of serums or otherwise, but in removing the extraneous causes of disease and preventing them from reaching the human body. It is generally believed by all civilized and enlightened people that lack of sanitation is, as men see things, one of the most prolific causes of disease and death. To this all schools of medicine and healing agree. Veritably cleanliness is next to godliness. But sanitation is not so much the work of the doctors or other practitioners as it is of the skilled sanitary engineer. It is claimed to have been discovered that the sting of the mosquito causes yellow fever, the bite of the fly typhoid fever, and that the ground squirrel is the carrier of bubonic plague. What is the remedy? Obviously, to exterminate the mosquito, the fly, and the ground squirrel. This does not require the services of a doctor or the use of a drug. When either of these breeders and disseminators of disease escapes and the disease is transmitted to the human body, the doctor, with his drugs, is helpless to give relief.

Going a little further in respect of the different modes of healing, we have the osteopathic school. It does not rely upon or use drugs, but relies on the intrinsic powers of the human body itself to restore healthy conditions.

We have also the practice of hypnotism, mesmerism, and suggestion. This alleged means of healing, including "suggestion," so called, is very largely used now by the old-school physician. It is an admission of the inefficacy of drugs. But it is even more dangerous in its use than the drugs themselves.

In 1866 the principle of healing, which is known as Christian Science, came into use, and is very generally practiced. It, too, discards the use of drugs. Unlike all the other modes of healing that I have mentioned, it is religious in its character. The healing is not its religion, but is incidental to and results from its religion. Its healing is not confined to its own religious believers, but is open to all men.

MOTIVE FOR ACTIVITY OF AMERICAN MEDICAL ASSOCIATION.

There is abundant evidence, which can not be reviewed here, that the efforts of the American Medical Association to secure restrictive legislation affecting other schools of healing and legislation giving its school additional powers and privileges are selfish in the extreme and intolerant and oppressive, as I shall show further along. The motive of this is not far to seek. Of later years, not only have the more modern schools of medicine encroached upon the business of the allopathic doctors and interfered with their receipts, but thousands—yes, millions—of people in this country have learned not to use medicines in any form, much to their advantage in the way of economy and better health. As a result, inroads of the most serious nature have been made on the doctor's business and profits, besides bringing their practice into serious discredit. It was perfectly apparent that something must be done to save their credit and prevent the overthrow of their system of practice. It was a desperate case, and they have resorted to desperate and questionable means to protect their profession from ruin. This movement is not in the interest of humanity, as they would have us believe, but to uphold the prestige and protect the resources of the doctors of the old school of medicine. Their own declarations prove this beyond controversy. I shall a little further along submit for the consideration of the Senate some of their own declarations to that effect, to which others, almost

without number, might be added, if it were necessary, coupled with the most startling statements of the extraordinary means resorted to to accomplish their object.

There is no public demand for this legislation. There is no sentiment in favor of it except that of one school of medicine and such as they have manufactured in their own selfish interests under the hypocritical pretense that it is for the public good.

HOW THEY OPERATE.

The doctors of the old school had possession. The people had become dependent upon them for help because they had not yet learned a better way. It was the fear that they would find a better way that spurred them to action. They have not been willing to stand upon their merits and be judged by their fruits; they have fought and persecuted every new school or mode of healing. They have appealed to the legislatures of the States for laws that were prohibitory of other schools and making the practice of medicine by them a crime, and have succeeded in many of the States in procuring such legislation. Their favorite scheme is to have established a board of health in every State, and every county in every State, composed of doctors of their school, and then procure a law making it a criminal offense to practice medicine or healing without first securing a license to practice from their board of health. They opposed and persecuted the homeopaths, the eclectics, and the osteopaths in turn, denouncing them as charlatans, quacks, and incompetents. None of these could, in the beginning of these tactics, procure one of their licenses to practice. But this did not work very long. As these other schools of medicine became stronger and better appreciated by the people legislatures refused to pass these prohibitory laws, and governors of States sometimes vetoed them if they were passed.

The new schools have forced their way into public favor, notwithstanding all this unjust opposition, and now other schools of medicine are given places on boards of health and applicants for licenses to practice by physicians of their schools are given separate examinations by members of their own profession. Every new school or method of healing has been compelled to meet with this same kind of unjust opposition and persecution, and much of it has been accomplished through the legislatures of the States. Many of the better class of allopathic physicians have deplored and opposed this mode of meeting opposition. It has been done mostly by and through the American Medical Association. To secure such restrictive and prohibitory legislation has been one of the chief objects of the association. Of later years their efforts have been directed more particularly against the Christian Scientists. The association has its branches and emissaries in every State and every city of any size in every State. They infest the legislatures of every State in the Union and present bills at every session until they succeed in securing the restrictive laws they want. At this present day they generally fail, but they continue their efforts with an energy and persistency worthy of a better cause. In some of the States, notably in Maryland, Ohio, and Missouri, they have made it a crime for a Christian Scientist to practice healing or to accept compensation therefor.

A conspicuous illustration of their methods may be found in a late order procured by the doctors affecting the Panama Canal Zone. They had an allopathic board of health, with a former president of the American Medical Association at its head. They procured from the President an order in the following form:

EXECUTIVE ORDER TO PROHIBIT THE PRACTICE OF MEDICINE, SURGERY, DENTISTRY, PHARMACY, OR MIDWIFERY WITHOUT A LICENSE.

By virtue of the authority vested in me, I hereby establish the following order for the Canal Zone:

SECTION 1. It shall be unlawful for any person to practice or attempt to practice medicine, surgery, dentistry, pharmacy, or midwifery within the Canal Zone without first having obtained a license therefor from the Board of Health of the Canal Zone. Any person thus offending shall be punished by a fine not exceeding twenty-five dollars (\$25) or by imprisonment in jail not exceeding thirty (30) days, or by both such fine and imprisonment, in the discretion of the court: *Provided*, That this order shall not apply to commissioned surgeons of the United States Army and Navy or Marine-Hospital Service, nor to physicians, surgeons, dentists, or pharmacists and their assistants and nurses employed by the Isthmian Canal Commission, nor to nurses acting under the orders of a licensed physician.

SEC. 2. Any person shall be regarded as practicing medicine within the meaning of this order who shall prescribe for, operate on, or in any wise attempt to heal, cure, or alleviate, or who shall in any wise treat any disease or any physical or mental ailment of another: *Provided*, That nothing in this order shall be construed to prohibit gratuitous services in case of emergency or to the administering of ordinary household remedies.

SEC. 3. This order shall take effect sixty (60) days from and after this date.

THE WHITE HOUSE, October 14, 1911.

WM. H. TAFT.

It will be seen that they so defined the practice of medicine in this order as to make it a crime to attempt to ameliorate

sickness or disease in any form or by any means other than their own.

Section 2 of the order would have had the effect to exclude from practice in the Canal Zone every school of medicine except the allopathic school, including Christian Scientists and any and all persons who attempted to cure disease or alleviate suffering in any way by prayer or any means not included in the term "practicing medicine."

Section 3 provided in express terms "that any person shall be regarded as practicing medicine within the meaning of this order who shall in any wise attempt to heal, cure, or alleviate, or who shall in any wise treat any disease or any physical or mental ailment of another." There was no exemption whatever made of any mode of treatment. The evident purpose of the order, as drawn, was to give the allopathic school of medicine absolute and unlimited control of medical affairs in the Canal Zone to the exclusion of every other mode of healing.

When the attention of the President was called to this fact he said at once that he had understood that Christian Scientists were not to be disturbed in their practice by the order, and that if it could be construed as having that effect he would see that it was modified. The matter was taken up with the President and the Secretary of War, who gave it the most careful and conscientious attention, and finally modified the order by inserting the following clause:

Provided, That nothing in this order shall be construed to prohibit (a) the practice of the religious tenets of any church in the administration of the sick or suffering by mental or spiritual means without the use of any drug or material remedy, whether gratuitously or for compensation, provided that such sanitary laws, orders, rules, and regulations as now are, or hereafter may be, in force in said Canal Zone are complied with.

Christian Scientists made no objection to the provision in the order protecting the sanitary regulations of the Canal Zone and their enforcement, but frankly said to the President and Secretary of War that they believed in sanitation, and that the order might be made as strong with respect to that matter as they desired to have it.

But, Mr. President, this Canal Zone order was not the only law, by many, obtained and attempted to be obtained by the American Medical Association. Every State in the Union has some law regulating the practice of medicine and surgery, and every State has a State board of health or examiners from whom a license must be obtained to entitle anyone to practice medicine or surgery. The doctors have gone to extraordinary lengths in the attempt to protect themselves in a monopoly of healing and to exclude from the exercise of their rights all other modes of healing than their own. In the procurement of boards of health, either State or county, the allopathic physicians, acting through the American Medical Association, usually have boards composed solely of their school of medicine, or, if other schools are allowed to be represented, as they are now in many of the States, the allopathic school, usually called by themselves "regulars," invariably have there a majority or a greater number of members on the board than that of any other school of medicine.

In some of the States separate boards of examiners or health boards are provided for three different schools of medicine, namely, the regular or allopathic school, homeopaths, and eclectics. But in no instance, so far as I know, is a majority of members, where there is but one board, given to any but the regular school. Having procured a board of examiners, or board of health, as they are sometimes called, they seek legislation in the different States providing that no one shall practice medicine or surgery until they have procured a license so to do from such board. To this Christian Scientists would make no objection, as they are not practicing medicine or surgery, and their mode of treatment is not within the scope of the title to these various bills. They are almost invariably given the title of bills "to regulate the practice of medicine and surgery," and sometimes midwifery, as indicated in the title. But they meet this situation by providing expressly what shall be included in the term "practice of medicine and surgery," and so define the term as to include modes of healing and practice that are not within the meaning of the words at all.

It may be interesting to the Senate to follow in a brief way the course of legislation on this subject.

With respect to the body of the laws for regulation of the practice of medicine and surgery, these laws, with very few exceptions, provide, first, that no one shall practice without first having obtained a license from the board established by the act. Then they provide just who and what kinds of practice shall be included within the terms of the statute. The ingenuity displayed by these political doctors who have been lobbying for years in every legislature in this country in their effort to insert in these laws some provision that will maintain their monopoly of the practice and exclude everybody else, challenges

my admiration. The fact that many of such laws are in exactly the same language shows conclusively that they have been the work of one moving power.

I am going to trouble the Senate by a brief review of these different statutory provisions. They are exceedingly interesting. Of course where the statute contains no definition of the practice of medicine and surgery, no mode of healing that does not use drugs or the knife would be included in its terms or affected in any way. Some of the States have left them just in that condition, and therefore such modes of healing may be practiced in those States beyond doubt.

But, taking up the States in their order: In Alabama no exemption is contained in the statute affecting the question I am now discussing, and the definition of a practitioner within the meaning of the act is as follows:

Any person who treats or offers to treat diseases of human beings by any system whatsoever is considered to be practicing medicine.

Nothing could be more absurd or unjust than this. Everyone knows that the Christian Science mode of practice, for example, is not practicing medicine, because they do not believe in medicines of any kind—do not use them or prescribe them—but are conscientiously opposed to their use. That a legislature of a State should falsify the facts, as is done in an act of this kind, in order to exclude people who are conscientiously endeavoring to heal disease and who have brought health, happiness, and contentment to thousands and thousands of people notwithstanding these restrictive laws, is almost beyond comprehension. It has been done at the instigation of medical practitioners, acting through the American Medical Association, whose attempt is to selfishly retain in themselves a monopoly of healing and exclude everyone else. It is singular that the legislature of a State should allow itself to be used in any such way.

In Arkansas no exemption is made, and when I say no exemption is made I mean as affecting the question which I am now considering, and in defining the scope of the act it is made to include anyone who—

prescribes or directs for the use of any person or persons any drug or medicine or other agency for the treatment, cure, or relief of any bodily injury, deformity, or disease.

In California Christian Scientists are excluded from the effects of the statute.

In the State of Colorado the exempting clause provides:

The act does not prohibit gratuitous service in case of emergency, nor the practice of the religious tenets of any church.

Under this exemption the courts of Colorado have held that it applies only to the exercise of religion by a church as a body, and therefore it does not exempt or protect a Christian Science practitioner, who exercises the right of healing, from the penalties of the statute.

In the following States, be it said to their credit, Christian Science is exempted from the provisions of the statute, in express terms: Connecticut, Massachusetts, New Hampshire, North Dakota, and South Dakota.

In the following States the definition of the act includes the following provision, either in the same words or words having the same meaning and effect: Delaware, Michigan, Minnesota, Nevada, and New Mexico:

* * * to suggest, recommend, prescribe, or direct for the use of any person any drug, medicine, appliance, or other agency, whether material or not material, for the cure, relief, or palliation of any ailment or disease of the mind or the body.

In the District of Columbia there is no definition of the meaning of the term "practicing medicine or surgery," and therefore Christian Scientists, of course, are not included within its provisions or penalties. The same is true of a number of the States.

In Georgia the act is made to include:

Any person practicing medicine or surgery who prescribes for the sick or those in need of medical or surgical aid and who charge or receive therefor money or other compensation or consideration directly or indirectly.

The meaning and effect of that statute, of course, turns upon the word "prescribes," which, I assume, would apply only to medical treatment.

The statute covering Hawaii includes:

* * * any means or method or any agent, either tangible or intangible, for the treatment of disease in the human subject.

The language of the statute of Idaho, in defining the scope of the act, is not as clear as it should be, but according to my construction of it it includes only (as every statute of this kind should) medical or surgical practitioners.

In the State of Illinois this exempting clause is found in the statute:

Nothing in this act applies to * * * any person who administers to or treats the sick or suffering by mental or spiritual means without the use of any drug or material remedy.

In Indiana there is no exemption and—

* * * to heal, cure, or relieve, or to attempt to heal, cure, or relieve, those suffering from injury, or deformity, or disease of mind or body—

Is included in the term "practice of medicine" within the meaning of the act.

In Iowa there is no exemption, and it is provided in the act that—

Anyone is regarded as a physician who publicly professes to be a physician, surgeon, or obstetrician and assumes the duties thereof, or who makes a practice of prescribing and furnishing medicine for the sick, or who publicly professes to cure or heal.

In Kansas the exempting clause is as follows:

Nothing in this act shall be construed as interfering with any religious beliefs in the treatment of disease: *Provided*, That quarantine regulations relating to contagious diseases are not infringed on.

In Kentucky the definition of the act includes persons who shall—

treat or attempt to treat any sick or afflicted person by any system or method whatsoever for reward or compensation, or to announce to the public in any way a readiness to treat the sick or afflicted.

But Christian Scientists are excepted by name.

In Louisiana there is this exemption:

Nothing in this act, however, shall be construed to prohibit the practice of the religious tenets of any church whatsoever.

In Maine Christian Scientists and osteopaths are expressly exempted from the terms of the act, together with—

any other method of healing, if no poisonous or dangerous drugs are employed nor surgical operations performed.

In the State of Maryland the medical boards certainly have full control, for it is provided in express terms that Christian Scientists are not exempted from the terms of the statute.

In Michigan no exemption is made, and the act is made to include all persons who—

attempt to diagnose, cure, or relieve any human disease, ailment, defect, or complaint, whether of physical or mental origin, by attendance or by advice, or by prescribing or furnishing any drug, medicine, appliance, manipulation, or method, or by any therapeutic agent whatsoever.

There is no exemption in Minnesota, and the defining clause of the statute includes any—

agency for the treatment, care, or relief of any wound, fracture, or bodily injury, infirmity, or disease.

In Mississippi there is no exemption and no definition of the meaning of the terms of the act, in which case, of course, Christian Scientists are exempted because they are not practicing medicine.

In Missouri there is no exemption, and the definition includes—
* * * any person attempting to treat the sick or others afflicted with bodily or mental infirmities.

I shall come to the State of Missouri a little further along and disclose to the Senate the extent to which the board of health of the city of St. Louis has gone in attempting to suppress the practice of Christian Science under this statute.

There is no exemption in the State of Montana, and the act is made to apply to any—

agency, whether material or not material, for the cure, relief, or palliation of any ailment or disease of the mind or body, or for the cure or relief of any wound, fracture, or bodily injury or other deformity, after having received, or with the intention of receiving, therefor, either directly or indirectly, any bonus, gift, or compensation.

In a number of the States the right to practice Christian Science is made to turn upon the question of compensation. It was conceived that a law absolutely forbidding Christian Scientists to heal disease would be unconstitutional, and in order to avoid that contingency it was believed that they might be prevented from practicing by forbidding them to receive any compensation for their services. In that the legislatures and the doctors who procured this kind of legislation have been greatly mistaken. Christian Scientists do not practice the healing for money alone, and the practice of healing by them is gradually and steadily increasing in all of the States where this unjust provision has been made by law.

In Nebraska the law contains no exemption, and has this provision defining the scope of the act:

Any person shall be regarded as practicing medicine who shall operate or profess to heal or prescribe for or otherwise treat any physical or mental ailment of another.

The statute in the State of Nevada contains the provision above mentioned in the State of Montana, and almost in the exact language.

In the New Jersey statute the language is peculiar. There is no exemption affecting this question, and this provision is inserted in the definition clause:

The act applies to all persons professing and attempting to cure diseases by means of the so-called systems of "faith curism," "mind healing," "laying on of hands," and other similar systems.

I do not know whether or not the distinguished lawmakers of the State of New Jersey understood that Christian Scientists

would be included in that category. Certainly they would not place themselves there. So far as I know, the courts of that State have not been called upon to determine what is included in that definition.

In the provision in the New Mexico statute, in defining the words "practice of medicine," the language is precisely the same as I have stated for Montana and Nevada.

In New York this clause is inserted in the definition of the practice of medicine: Anyone—

who shall either offer or undertake by any means or method to diagnose, treat, operate, or prescribe for any human disease, pain, injury, deformity, or physical condition.

North Carolina has no definition and therefore does not affect the rights of Christian Scientists.

In Ohio the defining clause is made to include any person who administers—

treatment of whatever nature for the cure or relief of a wound, fracture, or bodily injury, infirmity, or disease—

for a compensation.

This clause in the Ohio statute has been construed by the courts to apply to Christian Scientists, and they are positively forbidden in that State to practice healing for a consideration.

In Oklahoma the defining clause limits the operation of the statute to the practice of medicine and surgery in the proper sense of those terms, and therefore does not prohibit other modes of healing.

The State of Oregon may be regarded as in the same condition, except that the language of the defining clause of the statute is somewhat ambiguous and uncertain.

In Pennsylvania, again, there is no defining clause.

The statute of the Philippine Islands is made to apply to anyone who shall "treat" any person for any ailment.

In Porto Rico the language of the statute is almost precisely the same as that of Montana and Nevada.

The State of Rhode Island has a reasonable and proper definition of the practice of medicine and surgery, and does not prohibit other modes of healing.

The language of the South Carolina statute is the same as that of the Philippine Islands.

The statute of Tennessee is made to apply to anyone who "treats or professes to treat" any person for any physical ailment, the same as in the Philippines and Porto Rico.

The statute of Texas provides that there shall be no discrimination against any school of medicine nor apply to masseurs practicing massage and provides in the defining clause that—

Any person shall be regarded as practicing medicine who shall * * * treat or offer to treat any disease or disorder, mental or physical deformity, or injury by any system or method or to effect cures thereof and charge therefor, directly or indirectly, money or other compensation.

This is another of the statutes which makes the right to practice Christian Science depend upon the charging of a compensation.

The State of Utah has this provision in the exempting clause:

This act does not prohibit * * * those healing by spiritual means without pretending to have a knowledge of medicine.

In Vermont there is no exemption, and the act is made by the defining clause to apply to all persons who—

prescribe, direct, recommend, or advise, give or sell for the use of any person any drug, medicine, or other agency or application for the treatment, cure, or relief of any bodily injury, infirmity, or disease, or who follows the occupation of treating disease by any system or method.

The defining clause in the statute of Virginia makes the statute apply to persons who—

cure or relieve those suffering from injury or deformity, or disease of mind or body, or advertise or announce to the public in any manner a readiness or ability to heal, cure, or relieve those who may be suffering from injury or deformity or disease of mind or body.

The exemption clause is as follows:

Nothing in this act shall be construed to affect or to limit the practice of the religious tenets of any church in the ministrations of the sick or suffering by mental or spiritual means without the use of any drug or material remedy, whether gratuitously or for compensation, provided sanitary laws are complied with.

The exemption clause in the statute of Washington includes the following:

Nor is the act "to discriminate against any particular school of medicine or surgery or osteopathy, or any system or mode of treating the sick or afflicted, nor to interfere in any way with the practice of religion."

The defining clause of the statute of West Virginia confines the effect of the act to the practice of medicine, as every such act should in justice be confined.

The statute of Wisconsin is in like condition.

There is no exemption in the statute of the State of Wyoming and the defining clause contains the following:

Any person is regarded as practicing medicine who in any manner holds himself out to the public as being engaged in the diagnosis and

treatment of diseases or injuries or deformities of human beings, or who suggests, recommends, or prescribes any form of treatment for the intended palliation, relief, or cure of any physical or mental ailment of any person, with the intention of receiving therefor, either directly or indirectly, any fee, gift, or compensation.

Another of the statutes turning upon the question of charging for services rendered.

The statutes containing these various peculiar provisions, especially those bringing within the terms of the statutes for the regulation of the practice of medicine and surgery all persons who are healing disease by altogether different means and without the use of medicines or surgery, show the extent to which the American Medical Association has gone in attempting to hold in the hands of its own profession and school of medicine the treatment of disease, and how obliging the legislatures of the different States have been in giving false definitions of the practice of medicine and surgery in aid of this effort on their part. If these unjust and, in many cases, unconstitutional statutes should be enforced Christian Scientists would be in many of the States absolutely prohibited from any attempt to heal disease or alleviate suffering in any form; but, fortunately, the people of this country are more enlightened, intelligent, and tolerant than the doctors or their legislators in many cases. The doctors have made the most strenuous efforts to enforce these statutes in various States. Their efforts have usually been failures. Generally jurors will not convict in such cases, even if the statute has been violated, as the beneficent work of Christian Science has become so well known throughout the country, resulting in the healing of thousands of people after the doctors had given them up as incurable, and has convinced pretty much everybody except the doctors, whose selfish interests are involved, that they are doing a work which should be commended by all good citizens instead of making it a criminal offense to exercise their right of healing.

I am going to trouble the Senate now for a time by showing just what has been done in some cases by the medical practitioners in attempting to enforce these prohibitory statutes which they themselves have brought about for selfish purposes in the prosecution, even persecution, of those who have conscientiously endeavored to heal disease and alleviate suffering by means in which they thoroughly believe and which have been eminently successful.

I can give only a very few of these cases, as time will not permit me to go into many of them. If I could bring before the Senate of the United States all of the cases of persecution that have grown up under the prohibitive statutes which I have called to its attention it would arouse the just indignation of every Member of this body.

I now call attention to one case which is in point. I have called to the attention of the Senate the provisions in the statute of the State of Missouri which makes it a penal offense for any person to attempt to treat the sick or those afflicted with bodily or mental infirmities unless they have procured a license to practice medicine or surgery from the board of health, authorized by the statute to issue such licenses. Of course, Christian Scientists can not procure a license from a medical board of examiners or board of health, because they are neither medical practitioners nor surgeons. Therefore, under this statute, every person who ministers to the sick or injured without such a license is made subject to a penalty.

Bertha Reichenbecher was a Christian Science practitioner and a reader in one of the churches in the city of St. Louis. She was urgently requested to attend a man who falsely claimed to be seriously ill. She responded to the call and accepted a fee of \$1 that was pressed upon her by the alleged patient. The man was a decoy of the health department of the city, who pretended to be ill in order to detect Miss Reichenbecher in the act of practicing Christian Science healing. The bill he gave her was marked. Officers were waiting for her at the door and arrested her for the alleged offense and took her to the police station and treated her throughout with unnecessary indignities. But I shall let Miss Reichenbecher give the particulars of the occurrence. She has made a succinct statement of the whole matter in a sworn affidavit, which is as follows:

STATE OF MISSOURI, City of St. Louis, ss:

Personally appeared before the undersigned, a notary public within and for the said city of St. Louis, Bertha Reichenbecher, who, being duly sworn on oath, deposes and says, viz:

"My name is Bertha Reichenbecher; am 45 years of age, and unmarried. I reside at No. 1726 Oregon Avenue in the said city of St. Louis, where I keep house with my mother, who is now 91 years of age. I have been a member of local Christian Science churches for the past 12 years. I am now a member and the second reader of Third Church of Christ, Scientist, in St. Louis, and have been a member of the First Church of Christ, Scientist, of Boston, Mass., since 1907; am also a Christian Science practitioner, and have been for two years past.

"On Friday, December 15, 1911, a young woman, giving her name as Hazel Miller, applied to me at my home for Christian Science treat-

ment, saying that she had obtained my name from another Christian Scientist and that she has also heard me read in the Christian Science Church. I gave her a treatment, and she requested me to call the next morning to see her brother, who, she said, was confined to the house with Bright's disease. She gave her residence as No. 2118 Oregon Avenue. There was nothing said by either of us about payment for the treatment. The next morning at 11.15 I called at that address and found the young man lying on a couch, covered, and with a bottle of medicine and a pipe on a chair beside him. After a short talk I gave him treatment and arranged that he should call at my home the following Monday, as he had arranged for a week's treatment. I had started for the door when he called me back and insisted that his 'sister' pay me for the treatment. I asked them to wait until I was through with the case, but he insisted that I accept payment then for the treatment given. They paid me \$1, and I departed. Upon reaching the corner of Oregon and Russell Avenue, a man stood facing me, who bowed as I approached, and said, 'You are Miss Reichenbecher?' I replied, 'Yes,' and shook hands with him, thinking he was some one I had met and whose name I could not recall. He said, 'My name is Coats; I am an officer of the law, and must arrest you for practicing Christian Science without a license.' I asked if he had been watching my house. He replied, 'We do not give away our methods.' I then said that I could not understand why they should entrap me in this way, when they might go and find Christian Science practitioners in their offices all over the city. He made no reply. I asked permission to go to my home, a little over a block away, and inform my mother, who is 91 years old, that I would be away for a little while; but he would not permit me, saying that I could use both telephones when I reached the station. We then took the Tower Grove car to the central station, and he reported to Acting Sergt. Singleton. I telephoned to Mr. John Ashcroft that I had been placed under arrest. It was 12.30, as near as I can remember, when we arrived at the station. I told them that my bondsman and attorney would be there as quickly as possible. After giving my name, etc., Officer Coats, who arrested me, escorted me to the second floor and I was turned over to the matron. There was some woman present who had slept there several nights, having been under arrest, to whom the matron said in sharp, impatient tone, as I entered, 'Turn your back.' She then said to me in the same tone, 'Take off your things.' I said, 'Why? Shall I have to wait long? I am waiting for my bondsman and attorney.' She said, 'You will probably be here some little time.' She then said, 'Take off your hat.' When I did so, she took it and untied the lining; felt all over the hat, inside and out; and requested me to take off my coat. She emptied my pockets, and asked whether there were only two pockets in the coat, after shaking the same. She then said, 'Put down your bag; now take off your waist.' I said, 'Why, do you mean to search me?' She replied, 'Yes.' I grew red, I know, and said, 'Why, I am not arrested for theft; do you know what I am arrested for?' She said, 'Yes; we have had lots of your kind, and we have to take these measures to get rid of them.' I remarked, 'I have been arrested for practicing Christian Science without a license.' She said, 'I know—drop your skirts.' I stood but 3 or 4 feet from a door which contained a glass panel, across which a narrow towel had been stretched, leaving some inches of the glass exposed at the top. I turned, and said, 'Why, look; I can see those men's heads.' She said, 'That don't matter; they can't see anything.' I reiterated at different times, 'This is awful, to be compelled to be searched as though I had committed a theft'; and I remarked that Miss Dyer had been arrested several weeks before, and I asked whether she had been subjected to this ordeal. She said she did not remember; she supposed so. She requested me to unfasten my garters and remove my corsets, which article she carefully searched, and she then told me to take off my shoes and turn down my stockings to the feet. This left me with nothing but my undergarments on, and she felt carefully over my entire body and also through my hair. While she searched I could also hear the voice of Mr. Priesmeyer, my bondsman, talking in the next room.

"During our conversation I asked the matron if she knew anything about Christian Science, and she said very little; that one lady at one time gave her a rather intelligent answer to the question as to what Christian Science was; and she asked me what Christian Science was. I said, 'Prayer, and keeping the heart close to God.'

"After dressing, she asked me to count out the money in my purse, laying dollars together, and to turn out everything that was in it. There was \$12.86 in the purse. My bag or purse was then handed to the two men in the next room (Coats and Lawrence), and, as the door was opened a number of times while I was in there, I saw them counting the money and going through the contents of my bag. These men put my money in an envelope and marked it '11.86.' I did not know until I saw the statement in the newspaper two days later that they had taken the marked dollar bill, which Lawrence had given me, out of my purse, nor did I know that the dollar was marked.

"While the matron did not handle me roughly, she treated me in exactly the same manner she would have exercised with any criminal who was turned over to her. While I did not resist physically, I certainly made strong protests against being subjected to the search. I treated her with the courtesy with which I treat everyone, and when I left I said 'good-day' to her, as I did not blame her for the treatment I had received, since she assured me she was only carrying out orders.

"Later, when I was permitted to go into the next room, there was another man who required me to sign my name in a book, and he escorted me to the room downstairs where my bag had been left, and there it was turned over to me.

"BERTHA REICHENBECHER."

Subscribed and sworn to before me this 15th day of January, 1912. My commission expires May 30, 1914.

[SEAL.]

OLIVER FRAZIER,
Notary Public, City of St. Louis, Mo.

This disgraceful proceeding aroused the indignation of the good people of St. Louis. The prosecuting attorney denounced the proceeding as a "frame-up" and refused to prosecute the case. The newspapers, including some medical journals, denounced the proceedings in unmeasured terms. One of the newspapers of the city, after giving a full account of the affair and commenting severely upon the conduct of the board of health, had this further to say:

PHYSICIAN DENOUNCES COMMISSIONER.

The next step in protest against municipal and medical tyranny was taken a few days later when Dr. Paul Fletcher, a member of the city council and a prominent doctor, introduced resolutions in the council

condemning the action of Dr. Starkloff in gathering evidence. The council defeated the resolutions. Dr. Fletcher defined his position as follows:

"The health commissioner has caused employees to faint, and the methods are repugnant to many of our esteemed citizens; it is a travesty on the law and subversive of right and justice. It is wrong to put a woman in jail who has committed no crime. I am a physician, but if our law officers are compelled to resort to such methods it is time to rise up in protest.

The opposition of medical journals to Christian Science was clearly shown, but it is some consolation that some of them denounced this proceeding and declared for common decency in the treatment of such cases. I wish this might be said of the doctors who usually deal with matters of this kind. They are trying to enforce such prohibitory laws rigorously and without mercy with the hope of suppressing such treatment of disease entirely. It is a hopeless task as well as a brutal attempt to deprive thousands of our people of the right to resort to the remedy of their own choice for relief from disease. If the teachings of Christian Science are false, if the principle of healing its people believe in is not true and their pretensions a fake, Christian Science will not survive. If it is the truth it will prevail, and no restrictive or prohibitory laws nor any amount of persecution can overthrow it or force them to forego their right and their religious duty to heal the sick. They believe, and I concur in that belief, that any law that forbids or interferes with this right and duty is in violation of the Constitution of the United States and should be treated accordingly. I shall come to this question further along.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). The hour of 4 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 18642) to amend an act entitled "An act to provide revenue, equalize duties, encourage the industries of the United States, and for other purposes," approved August 5, 1909.

Mr. LODGE. I ask that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the unfinished business be temporarily laid aside. Without objection, it is so ordered. If the Senator from California will withhold for a moment, the Chair will lay before the Senate sundry messages from the House of Representatives.

Mr. WORKS. Certainly.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

The PRESIDING OFFICER laid before the Senate the request of the House of Representatives to be furnished with a duplicate engrossed copy of the bill (S. 2224) to amend "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, the bill having been lost or mislaid, and by unanimous consent the request was ordered to be complied with.

PENSIONS AND INCREASE OF PENSIONS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 5624) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was, on page 7, to strike out lines 7 to 10, inclusive.

Mr. McCUMBER. Will the Chair state to what item the amendment refers?

The PRESIDING OFFICER. The Trimble case.

Mr. McCUMBER. I move that the Senate disagree to the House amendment, ask a conference with the House on the disagreeing votes of the two Houses, and that the Presiding Officer appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. BURNHAM, Mr. BRADLEY, and Mr. POMERENE conferees on the part of the Senate.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4623) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was, on page 5, line 11, to strike out "Slightain" and insert "Slightam."

Mr. McCUMBER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 5194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain widows and dependent relatives of such soldiers and sailors, which were, on page 2, to strike out lines 9 to 17, inclusive, and, on page 3, to strike out lines 9 to 12, inclusive.

Mr. McCUMBER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 5670) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was, on page 13, to strike out lines 5 to 8, inclusive.

Mr. McCUMBER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 5045) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which were, on page 23, to strike out lines 21 to 24, inclusive, and on page 32 to strike out lines 10 to 13, inclusive.

Mr. McCUMBER. I move that the Senate concur in the House amendments.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 16493. A bill to correct the military record of William Z. Norman was read twice by its title and referred to the Committee on Military Affairs.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 23063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent children of soldiers and sailors of said war;

H. R. 23515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors;

H. R. 23557. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 23765. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

WIRELESS TELEGRAPHY ON OCEAN STEAMERS.

Mr. BOURNE. Out of order, I should like to report from the Committee on Commerce the bill (S. 3815) to amend an act entitled "An act to require apparatus and operators for radio-communication on certain ocean steamers," approved June 24, 1910, and to ask unanimous consent for its present consideration.

Mr. BACON. I would have no objection in the world to that being done if it were not in violation of the positive rule of the Senate, and we ought not to have a rule unless we are going to enforce it. It is the duty of the Chair, even without any suggestion from the floor, to enforce that rule. The rule was adopted to correct a very great evil.

Mr. LODGE. The rule makes it the duty of the Chair to enforce it without attention being called to it.

Mr. BOURNE. Then I ask that the bill may go on the calendar.

Mr. BACON. No; I must object. The Senator can not offer it for any purpose.

The PRESIDING OFFICER. Objection is made. The Senator from California will proceed.

DEPARTMENT OF HEALTH.

Mr. WORKS. I desire to take up one or two other cases of prosecution under the prohibitory or restrictive State statutes. The following newspaper account of conditions in New York is interesting:

ARRESTS IN NEW YORK—CASE AGAINST MRS. MOSBACH RESULTS IN ACQUITTAL—GRAND JURY REFUSES TO INDICT ONE MAN.

The status of the "irregular" practitioner in New York City is still an unknown quantity. The latest case that has come up is that of Mrs. Margaret Mosbach, whose daughter, Kathryn, was found by the coroner to have died on November 30, 1911, of diphtheria, under treatment by a Christian Science practitioner, Mrs. Marie Roberts, of the Bronx. On January 5 a coroner's jury, containing many of the most prominent men of the Bronx, acquitted Mrs. Mosbach of willful neglect in failing to call a physician for her daughter. The verdict of the jury raised the question of needed legislation to prevent occurrence of such cases.

WHY NOT ARREST DOCTORS, TOO?

Mr. Virgil O. Strickler, former first reader of the First Church of Christ, Scientist, New York, commented on the Mosbach case in a lecture. Mr. Strickler said that the New York World had published a list of 32 children who had died under Christian Science treatment

during the last 13 years. The newspapers always publish such cases in glaring headlines, he said, but the people's attention was not called to cases proving fatal under regular physicians. Against 1,715 deaths in New York alone from diphtheria during 1910 of young children under care of doctors, only 10 from that cause had occurred in 13 years under Christian Science treatment over the entire Nation. "Really," he concluded, "in all fairness, why should not the doctors be arrested for allowing these children to die under their treatment, the same as a Christian Science practitioner is arrested when one patient dies from the same disease under her treatment?"

GRAND JURY REFUSES INDICTMENT.

This recent case recalls the arrest about a year ago of Willis V. Cole, Byron W. Winslow, and Julius Benjamin, Christian Scientists, after the machinations of a woman detective who feigned illness and asked them for treatment. They were held for the court of special sessions, but had the trials transferred to the court of general sessions. This gave the grand jury an opportunity to pass upon the merits of the cases, and the grand jury investigating Mr. Winslow's case refused to indict. The cases of Cole and Benjamin are still pending, and will probably be made test cases to decide the rights of unlicensed practitioners.

Mrs. Mosbach was charged with neglect in trusting to Christian Science treatment in case of her daughter who died of diphtheria and not calling a doctor. It is quite a common thing to censure anyone who fails to call a doctor where death ensues. If a doctor is called and the patient dies no one is to blame. If a doctor loses a patient it is called a misfortune. The same thing if a Christian Scientist is the attendant is a crime.

This further account of the New York situation is from the New York World:

WHY NOT ARREST DOCTORS WHEN PATIENTS DIE? (VIRGIL O. STRICKLER)—
THERE WERE 1,715 DIPHTHERIA DEATHS IN CITY IN 1910—UNDER "SCIENCE" TREATMENT 1 IN 13 YEARS—FIRST READER QUOTES FROM VITAL STATISTICS—PROTESTS AGAINST ADVOCATES OF THE DRUGGING SYSTEM ATTEMPTING TO DICTATE.

When the World published two weeks ago a list of 32 children who had died of diphtheria and other diseases during the last 13 years while being treated by Christian Science practitioners it moved Virgil O. Strickler, the first reader of the First Church of Christ, Scientist, Ninety-sixth Street and Central Park West, to compile a few statistics from the vital records of the city to set against the list. This is his response as he made it when lecturing to the Sixth Church of Christ, Scientist, in Lexington Hall, No. 158 East Fifty-eighth Street, Tuesday night.

Many people do not understand why Christian Scientists have more faith in Christian Science treatment than they have in drugs. The reason is very plain, said Mr. Strickler. They get better results under Christian Science than they formerly obtained under the drugging system.

The World published on Sunday the names of 32 children who, it claimed, had died under Christian Science treatment in the United States during the past 13 years. Whenever a person, and especially a child, dies under Christian Science treatment the fact is published under glaring headlines in the papers, and as a rule somebody is arrested. It is safe therefore to assume that the list published contained the names of all the children who have died under Christian Science treatment during the last 13 years.

In the published list of names 10 are said to have died from diphtheria, 5 from pneumonia and bronchial pneumonia, 2 from scarlet fever, and the remainder from a variety of causes.

WHAT NEW YORK RECORDS SHOW.

I hold in my hand an official report of the department of health of the city of New York for the year 1910, which shows that during the last year there were 1,715 deaths from diphtheria, nearly all children under 15 under the care of doctors in this city alone, as against 10 deaths from the same cause under Christian Science practice in the entire United States in 13 years. Of these 10 cases, only 1 was in New York City.

The official report also shows that there were 953 deaths in the city last year from scarlet fever under medical treatment, nearly all of which were children, as against 2 in the entire United States in 13 years under Christian Science treatment, and not one of those was in this city.

The results in pneumonia and bronchial pneumonia are even more startling. The official report shows that 10,519 people died in the city of New York alone last year from these diseases under medical treatment, more than 50 per cent of whom were children under 15 years of age, as against 5 per cent in the entire United States under Christian Science treatment in 13 years.

The report of the board of health also shows that 27,111 children under the age of 15 years died from all causes under medical treatment in the city of New York last year, as against 32 who are shown by the published list to have died under Christian Science treatment in the United States in 13 years.

WHY NOT ARREST DOCTORS?

These facts show why Christian Science parents have more faith in Christian Science than in drugs for themselves and their families. If any school of medicine could guarantee cures, it would not be necessary to arrest people in order to compel them to employ doctors of that school.

Why do the newspapers call attention in a spectacular way to the death of one child in New York City in 13 years under Christian Science treatment from diphtheria, when more than 1,500 children under the age of 15 years died last year in the city from the same disease under medical treatment without the newspapers saying a single word about the failure of the doctors?

Really, in all fairness, why should not the doctors be arrested for allowing these 1,500 children to die from diphtheria under their treatment, the same as a Christian Science practitioner is arrested when one patient dies from the same disease under her treatment? Or why not arrest the mothers of these 1,500 children for employing doctors who allowed their children to die, the same as to arrest the mother of the one child who employed a Christian Science practitioner?

Mr. President, Christian Scientists do not claim to be perfect. They do not claim to heal in all cases. But they do claim that they have a much larger proportion of cures than the medical practitioners, and that, too, while their patients are very largely composed of persons who are afflicted with so-called incurable diseases, and who have been given up as incurable by the

doctors. They do not believe there are any incurable diseases. They have proved it by healing thousands of diseases classed as incurable, and which the doctors admit they can not heal, many of them being cases that the doctors have actually given up as hopeless. They do not ask any favors of Congress or any other lawmaking power to sustain their position as healers of disease. They are willing to stand upon their merits, as shown by their works. They are willing to be judged by their fruits. What they do insist upon is that laws shall not be passed or enforced that will deprive them of the right to heal disease or put them within the power of the doctors, most of whom are their common enemies, for selfish reasons. They are kept constantly on the alert to meet the unwarranted efforts of the American Medical Association to procure legislation that shall make every act of theirs in aid of the sick and afflicted a crime and forbid them from healing disease. They have not always been successful. As I have already pointed out, there are many legislative acts in the States that have this effect, and which are wholly unjust and oppressive.

With respect to the acts of coercion urged by the doctors, with unjust laws as their weapons, the Business Farmer, published at El Paso, Tex., makes editorially this very pertinent comment:

"WHERE ART THOU?"

"And there was war in heaven; Michael and his angels fought against the dragon."

The whole world has become a stupendous battle field, whereon is being waged the grandest battle ever witnessed by mankind. The superficial observer reads about the overthrowing of the long-established monarchical Government of Portugal, the revolution in medieval China, the barbarous war between Italy and Turkey, the seething turmoil in Mexico, and the strike and strivings of our country, and wonders—what's next.

The close student of the times, looking beneath the surfaces, recognizes the great universal issue at stake. He sees the battle of Armageddon being repeated on a world-wide battle field. He sees all the seeming powers of evil marshaled against the oncoming armies of truth. He sees on one hand the believers in the universality of the brotherhood of man, and on the other the cohorts of special privileges. He sees the desperate efforts being made by evil and selfishness and greed to ensnare and enslave man, "made in the image and likeness of God," and bind him shackled and helpless to the chariot of Greed's own aggrandizement.

But universal man is slowly but surely learning of his birthright—is learning to know that he was not made to slave and toil and starve, that bestial power might sit in gilded palaces and trample on every right, human and divine.

One of the boldest and most audacious demands of the special-privilege-seeking class that has been witnessed in this country is evidenced in the efforts being made by the American Medical Association to foster on the people of this country one of the most iniquitous laws ever attempted to be fastened on a free people. In order to secure exclusive privileges, and in flagrant violation of the rights of other schools of medicine, it seeks and, to accomplish its ends, is carrying on a most heartless, cruel, and diabolical campaign. It seeks to inoculate the mind of the people with fear and terror. It is constantly sounding the tocsin of alarm, conjuring up new diseases to frighten and terrorize the community, and then demanding added powers to combat the product of its own excited imagination.

The following communication to the Ohio State Journal shows the oppressive measures to which the doctors have resorted in Ohio:

ARREST OF SCIENCE HEALERS.

Two years ago a timid maiden lady who happened to be practicing a method of healing which required no medicine whatever was summoned before the State medical board and told in language both uncivil and severe, if not harsh and cruel, that if it ever heard of her healing anyone by her method it would arrest her, and the frightened girl has obeyed. Remember this threat was against the practice of medicine without license, which she had never thought of doing and knew not how to do.

Permit me to cite another outrage from the same official quarter: Late Friday night two officers appeared at two residences on the East Side and, compelling two ladies to enter a patrol wagon, hurried them off to the West Side on a charge of trying to heal the sick without medicine and without the paid consent of the medical board. The evident design and hope of the planners of this late-at-night arrest was to terrify and mortify the lone ladies, who had for months kept a cancer-afflicted patient from the surgeon's knife and thus cheated him out of a case, if not a fee. As it was, the ladies had to wait at the station until husband, friend, and attorney came to release them under bond, thus defeating the design to punish the ladies by a night in jail.

Now, the ends of the law, if merciful, could have been met in broad daylight, between 9 a. m. and 5 p. m. But that would not have served the aim. Even if the medical board is a legal department of State, some of its officers are not commending it to public favor, but, rather, inviting comparison with the monarchical methods of Europe, China, and Japan. (Reform, Columbus, Nov. 25.)

WHY THE AMERICAN MEDICAL ASSOCIATION WANTS THIS BILL PASSED.

The American Medical Association is using every effort to maintain and increase its power. To this end it has spent years of time and thousands of dollars in the effort to establish a national medicine with one of their schools of medicine at its head. The Senate can readily see by what I have already shown of their efforts to enforce the existing laws how that power would be used against every other school and mode of healing. They have organized for the campaign in the most effective way. The association passed the following resolution, offered by Dr. McCormack:

Resolved, That the president be, and is hereby, authorized to appoint a committee of seven members, which shall be charged with the duty of framing a bill for a national department of health, to be presented to the next session of Congress in December, and that this committee shall

consider and determine all matters and policies relating to national health legislation, and may invite the cooperation and cooperate with other organizations having the same purpose in view.

Prof. Irving Fisher, chairman of the committee of one hundred, largely composed of allopathic or "regular" doctors, has this to say on the subject:

Our legislative subcommittee and executive subcommittee have held frequent meetings. We believe that it is not possible to overcome the opposition unless a campaign fund of from \$20,000 to \$25,000 can be raised at once. This will be used for printing, stationery, telegrams, etc., the effect of which will be that Congressmen, especially pivotal Congressmen, will not dare to displease their constituents by opposing President Taft's program. It will also be used to reach our American Health League—which contains many thousand health enthusiasts—to start up our Authors' League of 1,000 health writers, to stimulate our press council of 100 leading editors, and to supply them and the members generally with ammunition in the way of literature; also to reach the labor organizations and the Grange and all our allies. * * *

I am writing to you among the first, knowing that you keenly appreciate the importance of overcoming the selfish opposition to a project which, once started, will surely expand within a decade so that millions upon millions of Government money will be put into this most needed form of national defense.

Letters received from Congressmen in response to our effort to poll them on this question show that many of them, and especially those who control procedure, need something more than the President's message to urge them to action; in short, that they must have letters and telegrams from their constituents.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from California yield to the Senator from New Hampshire?

Mr. WORKS. Certainly.

Mr. GALLINGER. I presume the Senator from California is aware of the fact—but I think it ought to go into the RECORD—that Prof. Fisher is not a physician.

Mr. WORKS. Oh, yes; I am aware of that.

Mr. GALLINGER. He is merely a professor of economics, or something of that kind. He took up this propaganda—I do not know what his purpose was—and has undertaken to push it over the country. I never approved of it, and told him so very plainly.

Mr. WORKS. I had stated on another occasion, I will say to the Senator from New Hampshire, that I regard the efforts of Prof. Fisher as entirely sincere.

Mr. GALLINGER. Undoubtedly.

Mr. WORKS. But he is not a physician.

The reference to President Taft's program in this communication was purely gratuitous. The President had no such program as they were attempting to carry out. On the contrary, he was opposed to the bill and so informed its friends. He was opposed to creating a medical department and they were so informed. What he did recommend was the bringing together of the present medical bureaus under one management, giving as a reason that it would be more economical as well as more efficient, and nothing more. They are accepting this bill in its present form because they must, but with the fixed purpose of adding to it when they can until they have gotten all they started out to get.

Now, Mr. President, let us see what they are seeking to accomplish. There is no limit to their ambition and selfish desires in this respect, as I shall show by their own declarations.

The following resolution of the American Medical Association, adopted by its committee on medical legislation during its session at the Holland House, in New York City, in June, 1903, will tend to show the extent to which they are willing to go and the means they will use to accomplish results:

Resolved (4). It shall be the duty of each member of the national auxiliary congressional and legislative committee to bring all and only such matters of pending legislation as may be referred to him, either by the legislative committee of his respective State or Territorial medical association, or by the committee on medical legislation of the American Medical Association, to the attention of the medical profession and the people of his respective county, and by every honorable means, personal and political, individual and professional, private and public, direct and indirect, secure desired action thereon by his representatives in both branches, as the case may be, of the State legislature, or of the Congress of the United States. And it shall be his further duty promptly to report all such efforts on his part, first, relative to State legislation, to the chairman of the committee on legislation of his State medical association; and, secondly, relative to national legislation, to the chairman of the committee on medical legislation of the American Medical Association.

Resolved. That the chairman of committee on medical legislation of the American Medical Association is hereby directed (a) to procure from the president of each State and Territorial medical association nominations for such national auxiliary congressional and legislative committee, (b) to formulate a list of the chief executive and legislative officers of the United States Government and of the government of each State and Territory, (c) to collate necessary information relative to the executive and legislative departments of the American Medical Association and of each State and Territorial medical association, (d) to formulate a list of the officers of each State and Territorial board of health and medical licensing board, and (e) to secure a brief summary of proposed legislation, State and national. And he is further directed to arrange the information thus collected into a congressional and legislative directory of the American Medical Association.

Dr. Samuel Dixon, of Pennsylvania, in a paper entitled "Law the Foundation of State Medicine," published in the journal of the association, said:

Compulsion, not persuasion, is the keynote of State medicine. Let it be understood that no matter how great efforts we may make to educate the people, unless we have the *lex scripta*—the written law—to fall back on, State medicine, while it may be a beautiful science, can never be a practical art. * * * The great majority of mankind are neither wise enough voluntarily to submit themselves to the requirements of sanitary law for the sake of preserving their own health and that of their loved ones, or righteous enough to be willing to exercise self-denial and repress the cravings of avarice to save others from sickness, suffering, and death. * * * But the law we must have. These laws must reach into all the relations of life. * * *

Thus we have a State system of sanitary administration, complete and symmetrical; its head at the seat of power in the State, untrammelled in the exercise of authority, reaching down through the subdivisions of county and township to the people, and a department in daily touch with every nook and corner of the State through its faithful allies, the physicians of the Commonwealth.

The following from an article by Henry R. Strong, of St. Louis, shows fairly well the workings of the American Medical Association:

THE ATTEMPT OF THE AMERICAN MEDICAL ASSOCIATION TO ENLIST LEGISLATIVE AID IN FAVOR OF ITS MONOPOLISTIC SCHEMES.

Finally, in the last few years, the association, following the example of other corporations in the gradual forging of its monopolistic bonds, has essayed to influence the legislative and administrative branches of State and National Government in favor of its schemes, and has recently gone openly into politics for that purpose. To be sure, it still shouts its old-time slogan of "the public weal," but in this case it makes the thinnest kind of disguise of its real motives and openly boasts that it has already made the power of medicine felt in legislative halls, so that whereas legislators formerly kept the representatives of the association dancing attendance upon them for anything they wanted now these same legislators dance attendance upon the association's delegates.

Said Dr. C. A. L. Reed, chairman of the legislative committee and late candidate for the United States Senate, in a speech at Chicago during the recent meeting of the association:

"When a committee of the American Medical Association went to the Fifty-eighth Congress, their legislative committee said, 'Can't you boil down what you have to say into 20 minutes?' Dr. Reed said, 'There were in that Congress one doctor in the Senate and none in the House.' * * *

"In the Sixtieth Congress there were five doctors, all told, and because of the same influence we simply went to the Willard Hotel and sent for Congressmen to come to us, and they came. * * * In the next Congress I have every reason to believe there will be 25 physicians." * * *

According to Dr. Reed, it is only by representation in Congress, which he described as being at present "water-logged with lawyers," that the association could hope to see its will translated into law. * * *

Like every powerful corporation, the American Medical Association has a legislative fund. Probably like every other corporation it has really two legislative funds, one open to public scrutiny and the other known only to the powers that be. The Journal of the American Medical Association of May 23, 1908, tells of annual expenses for "medical legislation" (whatever that may mean) of \$2,573.22. It can hardly be, however, that this represents all the money spent in furthering its legislative and political schemes, for the committee on legislation, of which Dr. C. A. L. Reed was chairman, in its report to the convention in 1905 stated:

"It has secured a list of local political leaders of every organized and recognized political party in the United States. The list already embraces the names of several political managers in each of 900 counties, the entire list aggregating in excess of 11,000 names. Through this list the central committee is in position to bring questions of pending legislation to the serious and thoughtful consideration of the men who, in their respective localities, exercise a preponderating influence in determining political action. * * * The political list is arranged so that the dominant politics of each county and of each congressional district is indicated, as well as the political affiliations of each member whose name appears on the list. It thus happens that we are able to move with a certain degree of accuracy in invoking political influence in behalf of such measures as are taken up by your committee. This list will be kept alive by asking for revisions from time to time, especially after each general election, and will, we are sure, prove to be an effective medium of action in the agitations which are pending in the immediate future." * * *

In June, 1907, it was announced by Dr. Reed that the association had an emissary in each of the 2,830 counties of the country, and that the list of political leaders had been increased to 16,000, to whom circulars are sent, the purpose being, according to Dr. Reed, "to educate them on proposed or pending legislation in which the medical profession is interested." All of which shows that the American Medical Association leaders have not been idle and that they are not novices in politics.

If this kind of work is being kept up, it must certainly require more than the paltry sum specified in the Journal's report to sustain it.

Mr. President, the doctors in all their efforts to procure restrictive or prohibitive legislation of this kind, proceed upon the theory that they and they alone are competent to deal with questions of health, and that all other people claiming to heal disease are incompetents. Thus it is said by Dr. Henry O. Marcy, former president of the American Medical Association, in speaking of the opposition to this bill:

It is the old cry of the incompetents who practice under various designations against legislation that will tend to bar them from practice and keep the practice in the hands of those who will not be a menace to the public health.

This is a very significant utterance. It assumes that all knowledge in health preservation and healing is in the old school practitioners, and that the purpose of this legislation is

intended to bar everyone else. Here is another declaration of a like kind. Dr. C. A. L. Reed, chairman of the legislative committee of the American Medical Association, has this to say:

The principle that is involved is the same—that the man in possession of the technical knowledge which gives him a scientific comprehension of his subject and his problem should have the executive authority to enforce that knowledge and not be overridden by a man who has no such technical knowledge, and consequently no such comprehension of the importance of the subject.

And Prof. J. Pease Norton, of Yale University, in a speech before the American Association for the Advancement of Science, reprinted with approval in the journal of the American Medical Association, pointed out the extent to which the advocates of this kind of legislation proposed to go if Congress should permit it. He says:

1. It seems desirable that a United States national department of health should be established, having as its head a secretary, who shall be a member of the Executive Cabinet.

2. The purpose of the department should be to take all measures calculated, in the judgment of experts, to decrease deaths, to decrease sickness, and to increase physical and mental efficiency of citizens.

3. It should consist of the following bureaus:

- National bureau of infant hygiene.
- National bureau of education and schools.
- National bureau of sanitation.
- National bureau of pure food.
- National bureau of registration of physicians and surgeons.
- National bureau of registration of drugs, druggists, and drug manufacturers.
- National bureau of registration of institutions of public and private relief, correction, detention, and residence.
- National bureau of organic diseases.
- National bureau of quarantine.
- National bureau of health information.
- National bureau of immigration.
- National bureau of labor conditions.
- National bureau of research, requiring statistics.
- National bureau of research, requiring laboratories and equipment.

This is a pretty broad field that the National Government is expected to enter upon. It is almost without limit.

And when a measure similar to this was before Congress on a hearing before a Senate committee, Dr. Welch, formerly president of the same association, threw out this significant remark to the Senator from Utah [Mr. SMOOT]:

I would simply like to throw out the suggestion that it may be that the Federal Government can exercise larger powers in this matter than is generally supposed to be the case.

These declarations show authoritatively and clearly what these gentlemen have in view as the final result of legislation of this character and the use they expect to make of it. It is an imposing and far-reaching scheme to bring the entire health activities under the control of this one school of medicine and by the power thus given them to influence and control indirectly, if not directly, the health activities of the several States. But one of the most radical declarations upon this important subject will be found in the magazine, *Clinical Medicine*, in the issue of April, 1911, as follows:

The inhabitants of each community should be equally divided among the physicians, and these should have no expectation of poaching on their neighbors' preserves. If any increase in pay resulted from such acts they would soon cease. The proportion would be more equally approximated, and every member of the profession would have enough.

It is a grave menace to the liberties of the people in a matter of life and death. I wonder how far the Congress of the United States is willing to be made a party to such a scheme.

Mr. President, I have shown by the declaration of eminent physicians, either now or heretofore connected with the American Medical Association, what their purposes and intentions are in seeking this legislation, and what the people of this country may expect if the powers of the Government are thus given over to them. I want now to call the attention of the Senate to what some other equally distinguished gentlemen have said as to the purpose and effect of legislation of this kind. In an address delivered by Dr. G. Frank Lydston, of the medical department of the State University of Illinois, in speaking of the efforts of the doctors to procure such legislation as I have been calling attention to, he says:

Despotism in medicine is not a theory, it is a condition, one that should alarm all save its direct beneficiaries. No physician can, with equanimity, survey the trend of affairs medical in America unless he has no interest in personal liberty. He has forgotten the high ideals of our medical forefathers. The more speciously masked self-interest is the more dangerous it becomes.

And this extract from the *Pacific Coast Journal of Homeopathy*:

No citizen objects to Government supervision looking to sanitation, pure water, air, and food but what he finds next is in the invasion of the right and duty of a family physician and of his own personal liberty by health-board doctors. In short, he objects to health boards. He also objects to doctors, and if in private practice he would not call in one to invade his home, dictating medication to him, and imprisoning him if he refuses to submit. They say the national department would not do this. Well, the city and State departments are supposed not to do it, but they do it with an iron hand. The citizens do not want political doctors bossing therapeutics.

I call attention also to a word said by Herbert Spencer on this subject that is interesting and instructive:

Moved as are the projectors of a railway, who, whilst secretly hoping for salaries, persuade themselves and others that the proposed railway will be beneficial to the public—moved, as all men are under such circumstances, by nine parts of self-interest gilt over with one part of philanthropy—surgeons and physicians are vigorously striving to erect a medical establishment akin to our religious one. Little do the public at large know how actively professional publications are agitating for State appointive overseers of the public health. There is an unmistakable wish to establish and organize a tax-supported class charged with the health of men's bodies as the clergy are charged with the health of their souls. And whoever has watched how institutions grow, how little by little a very innocent-looking infancy unfolds into a formidable maturity, with vested interests, political influence, and a strong instinct of self-preservation, will see that the germs here peeping forth are quite capable under favorable circumstances of developing into such an organization.

These are only samples of numerous declarations on this subject. Others might be cited, but time will not permit. The ones given are amply sufficient to show what is ahead of us in the strenuous and remarkable effort of an interested class to procure legislation that will immeasurably increase their power at the expense of the liberty of the whole people.

Mr. President, it is not only what they want that should lead us to consider their demands with the greatest caution. The means by which they propose to procure what they want is more reprehensible, and should condemn their whole effort as unreasonable, unjust, and tyrannical. They propose to enter into politics in its worst and most disgraceful form to force from Congress and State legislatures the laws they want. This is clearly shown by their own declarations and official acts. They show something more than this. It appears from the declarations to which I am about to call attention that their claim that they are working unselfishly and in the interest of humanity is a mere pretense. They are working in the interest of themselves and no one else. Let me call the attention of the Senate to a few of the many expressions of this kind, showing conclusively the selfish motive behind this movement. The *South Carolina Medical Journal* states:

We all know (or ought to know if we are old enough to practice medicine) that legislation is not accomplished in the effulgent sunlight of a noisy public, not on the hustings of a demagogic campaign meeting, nor even (where one might suppose) on the oratorical forum of the House of Representatives.

It is conceived, laid, and hatched in political byways and hedges; around the corner on the dead quiet, with soft words and apt reasoning.

The president of the North Dakota State Medical Association, addressing the association, says:

We are better equipped to pass sane and important legislation than any other body of men and to make ourselves felt in public matters, owing to our intimate relations, as family physicians and advisers, with the voters throughout the State.

Dr. Cornelius Williams, president of the Minnesota State Medical Association, in his presidential address at the forty-first annual meeting, October, 1909, as reported in the *Journal of the American Medical Association* November 20, 1909, said:

I declare that it is only by a participation in politics that the physician may accomplish his whole mission, and that such participation is one of his highest duties. From the very nature of his position his duties place him in the rôle of police; he must suppress or regulate whatever is injurious to the peace, health, morality, general intelligence, and thrift of the community and its internal safety. Isolated in the sense that there is no concert of action, the medical man is a negligible quantity, as to any influence, either for good or bad legislation; but united into a guild of workers, the medical body would be a great power to determine the outcome of an election and to direct the measures of government.

Dr. Charles J. Whalen in the *Illinois Medical Journal* last September stated, among other things:

Medicine as a means of livelihood has arrived at the most critical period of its history. The economic status and outlook for the profession is pitiable. A feeling exists among a large number of the profession that medicine should be represented more numerously than it is in the legislatures.

"We should have at least as many physicians as lawyers in Congress," says a recent correspondent in the *Lancet-Clinic*.

In its report two years ago the public-relations committee of the Chicago Medical Society said:

The medical profession will never get what it is entitled to in the way of legislation until it wakes up and becomes a factor to be reckoned with politically. This can best be done by bringing the lawmakers to a realization of the tremendous influence of organized medicine and the votes they will lose if they do not give the profession respectful consideration.

As an organization we should not only ask for what we want but should be in a position to demand it if necessary.

In medicine, as in other forms of business, unification for mutual protection must be brought about. In organization lies our only hope.

From the *Lancet-Clinic*, of Cincinnati, for February 18, 1911, under the title "Organization gone mad," I take this:

The American Medical Association is perhaps the best illustration of the effect of the organization furor. It has become to all intents and purposes a huge oligarchy. Its policies are directed by a few, who,

ostensibly acting as the agents of the members, in reality take the initiative in every movement, assisted thereto by the constitution of the society itself. The spirit of democracy is as foreign to it as it is in the realm of the Czar of all the Russias. It is the natural result of the modern trend of concentration, subordinating private judgment to the leaders' dictum.

We see the same result in the various State organizations. As in the national association, so in the State societies, the thoughts of the members are cribbed, cabined, and confined. If anyone so far forgets himself as to dissent from the established order, he is made to feel the sting of disapproval, until he is glad to hide himself and his views from the gaze of his associates.

The machine is well oiled and the steam roller runs smoothly. Members are extremely careful to avoid being run over. Hence, whatever is, is right.

At a meeting of the State Medical Association of Wisconsin held in June, 1911, and reported in the Wisconsin Medical Journal for the same month, Dr. A. R. Craig, assistant to the secretary of the American Medical Association, described the evolution of that body as follows:

The whole subject of the work of the organization has been to me a wonderfully interesting thing. In studying this subject I have been interested to find how few men really had a suspicion of what the possibilities of a real organization were. If you read the history of the American Medical Association, you will find that in the old days a delightful lot of gentlemen would meet together and promulgate and expound and resolve and adjourn; and in another year they would come together once more in a new field and again orate and expound and resolve and adjourn. So the American Medical Association went on for some 40 or 50 years of its growth. True, it was gathering new forms and new impetus and was doing something, but you could practically see nothing of the work that was accomplished except a pleasant time was had at each annual session. Then came that wonderful epoch in the association's life when things began to happen after a year or two, and the American Medical Association met once a year, but lived through the year. To-day, if you were to go to Chicago you would find on the corner of Dearborn and Indiana Avenue a 7-story structure with some 150 employees, your employees, working every day in the year to accomplish your ends under your delegated direction, to accomplish the purposes and ends of that organization. I would like to say that this organization will be completed and will be really effective when each State in its turn is organized in such a way that you do not meet for a week's session or a three or four days' session, but you meet as a board of bank directors might meet, to determine the policy of the machine which is to be effective throughout the year.

These various quotations show that it is not the public that is demanding this legislation, but a political machine, an oligarchy of a few doctors in control of the American Medical Association, and who have so far become intoxicated with their success as to forget discretion. As an illustration, let me quote to you the statement of Dr. Charles A. L. Reed in a speech delivered at Chicago and widely quoted in medical journals:

When a committee of the American Medical Association went to the Fifty-eighth Congress, their legislative committee said, "Can't you boil down what you have to say into 20 minutes?" There were in that Congress one doctor in the Senate and none in the House.

In the Fifty-ninth Congress there were three doctors in the House and one in the Senate. The doctors all over the country had been using their influence, so the committee said, "Just tell us what you want, gentlemen; take as much time as you like."

In the Sixtieth Congress there were five doctors, all told, and because of the same influence we simply went to the Willard Hotel and sent for Congressmen to come to us, and they came. * * * In the next Congress I have every reason to believe there will be 25 physicians.

WHY SHOULD CONGRESS INTRUST THEM WITH THIS GREAT POWER?

Mr. President, there is no complaint now of the inefficiency or lack of power or authority on the part of the various health bureaus now in existence and supported by the National Government. The Public Health and National Quarantine Bureau is given ample and sufficient power to deal with all such questions. No new legislation on the subject is necessary. Even the bringing together of these various bureaus whose province it is to deal with public-health questions, attached as they are to different departments of the Government and performing different and varied functions affecting the departments to which they respectively belong, not only will not strengthen them but will result in confusion, conflicts of authority, and weakness.

But, Mr. President, I desire to go a little deeper than this into the wisdom and propriety of vesting in one school of medicine such unlimited power over the health, even the lives of the people of the country. What claims to superior knowledge and understanding have the old school or "regulars" in medicine that should induce Congress to give over to them this vast power over the public health?

I have no animosities against the doctors, individually or as a class. They have their work to do in the interest of mankind, and should be fully protected in their right to pursue that work. It is needed in the interest of mankind, because the great majority of the people still believe in the medical doctor and his drugs. So long as this is the case the physician of whatever school should be fully and amply protected in his right to administer what his patients believe in and want. This must be so in a free country like ours so long as there is a single individual who believes in and wants the services of a medical doctor. That is what I call medical freedom. On the other hand, they who do not believe in the efficacy of drugs

or in the services of a medical practitioner, but who do believe in another and different remedy, should be accorded the same right, and that right should be jealously protected. That, too, is medical freedom. No one class of men who believe in one mode of healing as against all others have a right to force that method upon others who do not believe in it. That is tyranny and a violation of the liberties of the people.

Mr. President, I have no objection even to the American Medical Association, so long as it confines its efforts to the advancement of science as it sees it or for the elevation of the standard of the physicians of its school of medicine, or the advancement in any way of members of its own profession. I do not complain even of its attempt to benefit its own members by legislation. But I do object most seriously to the intolerant, tyrannical, and oppressive efforts it has been making for years to prevent other schools of medicine or the practitioners of other modes of healing from exercising their right to heal the sick. Its course in this respect has been un-American. It is an offense to free government. Its pretensions of superior knowledge on these great and vital subjects are unwarranted. I have already shown by the declaration of one of their own members that the "basis of the entire profession of medicine is faith in the doctor and his drugs and his methods."

If this be so, and it is abundantly supported by experience and competent authority, it would seem that the one important thing, the just thing for them to do, is to prove themselves and their modes of healing worthy of this faith. This must be done by their works. It can not be done by assailing and persecuting those who have lost faith in them and their drugs and transferred it to others.

Everyone who thinks knows that the practice of medicine is not a science. Remedies are adopted to-day and abandoned as worthless to-morrow. The medical practitioner of 50 years ago is looked upon by members of his own profession of to-day as an ignoramus, and the remedies he used then are regarded as wholly worthless and even as destroyers of health. Fifty years from now, I predict, the men of to-day who administer drugs as a means of healing will be looked back upon as enemies to health.

But, Mr. President, I am not going to leave this position of mine as to the unreliability of medical treatment of sickness and disease to rest upon my own opinion of it, although I speak from abundant and painful experience. I am going to call as witnesses of the truth of what I say men of superior knowledge and experience. The first is the late Prof. William James, world-famed professor of psychology of Harvard University. In an address delivered at the second hearing before the committee on public health of the Legislature of Massachusetts, at Boston, March 2, 1898, opposing proposed legislation which would exclude all but medical practitioners from exercising their right to heal the sick, the professor had this to say:

Mr. Chairman, I rise to protest this bill. I come to represent not a body of persons with special interests, but simply as a private citizen interested in good laws and in the growth of medical knowledge. The medical profession are urging the bill in the interests, as they believe, of true science. Those who oppose it, they think, can do so only in the interests of ignorance and quackery. I hold a medical degree from Harvard University. I belonged for many years to the most scientific of our medical societies. I have taught anatomy and physiology, and now teach mental pathology in Harvard College. The presumption is that I am also interested in science. I am, indeed; and it is, in fact, because I see in this bill—along with some good intentions—a movement in favor of ignorance that I am here to oppose it.

It will inevitably trammel the growth of medical experience and knowledge. Were medicine at present a finished science, with all practitioners in agreement about methods of treatment, such a bill as this, to make it penal to treat a patient without having passed an examination, would be unobjectionable. But it would also be unnecessary then. No one would attempt to cure people without the instruction required.

But the present condition of medical knowledge is widely different from such a state. Both as to principle and as to practice our knowledge is deplorably imperfect. The whole face of medicine changes unexpectedly from one generation to another in consequence of widening experience; and, as we look back with a mixture of amusement and horror at the practice of our grandfathers, so we can not be sure how large a portion of our present practice will awaken similar feelings in our posterity.

Each generation adds something, it is to be hoped, to the treatment that will not pass away. Few of us recall the introduction of the water cure, but many now living can recall the discovery of anesthetics. Most of us recollect when medical electricity and massage came in, and we have all witnessed the spreading triumphs of antiseptic surgery, and are now hearing of the antitoxins and of the way in which hypnotic suggestion and all the other purely mental therapeutic methods are achieving cures.

Some of these therapeutic methods arose inside of the regular profession; others outside of it. In all cases they have appealed to experience for their credentials. But experience in medicine seems to be an exceedingly difficult thing. Take homeopathy, for instance, now nearly a century old. An enormous mass of experience, both of homeopathic doctors and their patients, is invoked in favor of the efficiency of these remedies and doses. But the regular profession stands firm in its belief that such experience is worthless and that the whole history is one of quackery and delusion. In spite of the rival schools appealing to experience, their conflict is much more like that of two philosophers or two theologians. Your experience, says one side to the other, simply isn't fit to count.

So we have great schools of medical practice, each with its well-satisfied adherents, living on in absolute ignorance of each other and of each other's experience. How many of the graduates, recent or early, of the Harvard Medical School have spent 24 hours of their lives in experimentally testing homeopathic remedies or seeing them tested? Probably not 10 in the whole Commonwealth. How many of my learned medical friends, who to-day are so freely denouncing mind-cure methods as an abominable superstition, have taken the pains to follow up the cases of some mind curer, one by one, so as to acquaint themselves with the results? I doubt if there be a single individual. Of such experience as that they say: "Give me ignorance rather than knowledge." And the club opinion of the Massachusetts Medical Society pats them on the head and backs them up. I don't blame any set of practitioners for remaining ignorant of all practice but their own. The subject is too overwhelmingly great. It takes an entire life to gain adequate experience of a few diseases and a few remedial methods. When a doctor notes what he considers good effects from his own practice, it is natural for him to let well enough alone and refrain from exploring unknown lines. Here, as elsewhere, individual success goes the better for a certain narrowness, which therefore is not wholly evil. But when ignorance and narrowness, instead of being humble, grow insolent and authoritative and ask for laws whose only immediate result can be to consecrate and perpetuate them, then I think that every citizen interested in the growth of a genuine complete medical science should rise up and protest.

I am here as such a citizen, having no axes to grind except the ax of truth; that "truth" for which Harvard University professes to exist. I count some of the medical advocates of this proposed law among my dearest friends, and well do I know how I shall stand in their eyes hereafter for standing to-day in my present position. But my duty is to the larger society, the Commonwealth. I can not look passively, and I must urge my point.

That point is this, that the Commonwealth of Massachusetts is not a medical body, has no right to a medical opinion, and should not dare to take sides in medical controversies. This safe neutral position the friends of the proposed legislation summon the Commonwealth immediately to give up. One would suppose that any act of sane persons interested in the growth of medical truth would rejoice if other persons were found willing to push out of their experiences in the mental-healing direction and provide a mass of material out of which the conditions and limits of such therapeutic methods at last become clear. One would suppose that our orthodox medical brethren might so rejoice, but instead of rejoicing they adopt the fiercely partisan attitude of a powerful trades union, demanding legislation against the competition of the "scabs." They summon the State to disregard absolutely all the peculiar conditions under which the mental-healing operations flourish to-day, and say to the mind curers, "Pass our State examinations or go to our State's prison." Abstractly it sounds magnificent to say that our State protects its citizens against the ignorance of practitioners. In the living concreteness of the matter, however, not only is such a claim an utter farce, but in this particular business of mental healing there can be no doubt that if the proposed law were really enforced it would stamp out and arrest the acquisition of one large branch of medical experience. What the real interests of medicine require is that mental therapeutics should not be stamped out, but studied, and its law ascertained. For that the mind curers must at least be suffered to make their experiments. If they can not interpret their results aright, why then let the orthodox M. D.'s follow up their facts and study and interpret them. But to force the mind curers to a State examination is to kill the experiments outright.

The mind curers and their public return the scorn of the regular profession with an equal scorn and will never come up for the examination. Their movement is a religious or quasi religious movement; personality is one condition of success there, and impressions and intuitions seem to accomplish more than chemical, anatomical, or physiological information.

These are the facts, gentlemen. You, as legislators, are not bound either to affirm or deny them yourselves, either to deplore them or rejoice at them, or in any way to judge them from a medical point of view, but simply, after ascertaining that thousands of intelligent citizens believe in them, decide whether to legislate or not. Do you feel called on, do you dare, to thrust the coarse machinery of criminal law into these vital mysteries, into these personal relations of doctor and patient, into these infinitely subtle operations of nature, and enact that a whole department of medical investigation (for such it is), together with the special conditions of freedom under which it flourishes, must cease to be?

I venture to say that you dare not, gentlemen, you dare not convert the laws of this Commonwealth into obstacles to the acquisition of truth. You dare not do it, gentlemen—and yet that is what you are asked to do exactly if you pass this bill.

Pray do not fail, Mr. Chairman, to catch my point. You are not to ask yourself whether these mind curers do really achieve the successes that are claimed. It is enough for you, as legislators, to ascertain that a large number of our citizens, persons as intelligent and well educated as yourself or I, persons whose number seems daily to increase, are convinced that they do achieve them, are persuaded that a valuable new department of medical experience is by them opening up. Here is a purely medical question, regarding which our general court, not being a wellspring and source of medical virtue, not having any private test of therapeutic truth, must remain strictly neutral under penalty of making the confusion worse.

In the matter of pharmacy, in the matter of such an art as plumbing, the legislature may impose examination and grant license without harm. The facts are here ultra simple in comparison, and no differences whatever of conscientious opinion among the experts as to what is right. But this case of medical practice is absolutely different. It is the confusion, the deplorable imperfection of the most expert knowledge, and the conscientious divergencies of opinion, the infinite complication of the phenomena, and the varying and mutually exclusive fields of experience that are the very essence of the case.

I know well what those friends of mine of the Massachusetts Medical Society, who would presume to act as your advisers, will think. Having worked as hard and as conscientiously as they have worked to acquire the wisdom they possess, they will think it little less than treason in a person academically brought up to depreciate publicly as I do the results of all those labors. They certainly thought it a gross insult when I compared their noble desire to purge the State of quackery to the greediness of a trades union asking for legislative protection against scabs. Well, I hate to appear in my brothers' eyes as a traitor to a cause which for them is identical with that of science and education, and for which they will burn with so holy a zeal, for my cause is that of science and education, too. Heaven forbid that I should make light of the glorious achievements of modern surgery. Taking one sort of

education with another, a medical education is, on the whole, as broadening and deepening an education as I know.

And if some fatality were laid on us whereby one type of practitioners must perforce be singled out for license and all other types stamped out, I should unhesitatingly vote to license the Harvard Medical School type, for it lies in the spirit of science to correct its own mistakes in the end, and I should hope that little by little, though with infinite slowness, many of the things well known outside of the medical schools, but not known there at present, might possibly be rediscovered by one adventurous spirit or another inside, and finally accrete with the final body of doctrine. Even the mind-cure methods might eventually be resurrected in this way. But, thank heaven, no such fatal necessity of giving exclusive license to one type of mind now weighs upon this legislature. Our State needs the assistance of every type of mind, academic and nonacademic, of which she possesses specimens. There are none too many of them, for to no one of them can the whole truth be revealed. Each is necessarily partly perceptive and partly blind. Even the very best type is partly blind. There are methods which it can not bring itself to use.

The blindness of a type of mind is not diminished when those who have it band themselves together in a corporate profession. By just as much as they hold each other to be thorough and conscientious there, by just so much along the other lines do they not only permit but even compel each other to be shallow. When I was a medical student I feel sure that any one of us would have been ashamed to be caught looking into a homeopathic book by a professor. We had to sneer at homeopathy by word of command. Such was the school opinion at that time, and I imagine the similar encouragements to superficiality in various directions exist in the medical schools of to-day.

Now, as to calling the Massachusetts Medical Society a trades union trying to influence legislation against scabs, I can hardly imagine any member of the society affirming that in the movement for the present bill trades-union motives are totally absent. Take a struggling practitioner, young or old, in a small place. He has spent years of life and thousands of dollars in fitting himself for his work. Conscientious and self-sacrificing to the last degree, he deserves some acknowledgment and reward. What can his feelings be when he sees the faith curer alongside and the metaphysical healer opposite, with no education, with no sacrifices, with nothing but what to him seems their silly optimism and preposterous conceit, stealing patients from him by the dozen? He can feel nothing but righteous indignation; and when he tells the tale to his colleagues, their blood boils like his. The State owes some protection to us who have done right, they say. And the medical politicians who run the society's affairs, however great their disinterested zeal for the public health may be—and I am the last to deny that—assuredly are not altogether forgetful of this other aspect of the case. The trades-union instinct has to be strong in every professional society. There are always some members who, if they had power, would put down heresy like Spanish inquisitors, and there are times when such members may come to the top.

Pray, remember all these facts, gentlemen of the committee, in listening to your advisers on the opposite side. Whatever you do, you are bound not to obstruct the growth of truth by the freest gathering in of the most various experiences. I urge that the best way to do that is to say "hands off," and let the present law, which is abstractly a good one, and only four years old, alone.

The hinge of my whole contention, you see, is that in strictly medical quarrels the State has no right to interfere. I know there are other aspects of this bill with which every decent man must sympathize. The flood of quackery and medical ignorance about us is sickening to think of. One's first impulse is to get up and scream, saying: "Why is there not a law to stop it?" One's heart bleeds, one's fingers itch at the persistent impunity. But so it is with the vileness of our newspapers, with their medical advertisements and other filth, so it is with the rottenness of much of our public life. Yet laws can not reach such symptoms. Heine said: "Every nation has the Jews it deserves." Certainly every nation has the newspapers and the politicians it deserves. And it has the medical practice it deserves. A people that loves quacks will have them, laws or no laws. Instead of crying for legal protection, the medical profession ought to educate the people better. They must remember that the aversion which they find in the public and from which they suffer, has historic roots. The history of medicine is a really hideous history, comparable only with that of priestcraft—ignorance clad in authority and riding over men's bodies and souls. Let modern medicine dispel all those inherited prejudices by living the historic memories down. It may well be questioned whether a régime of license and monopoly will tend to hasten that even as much as one of freedom and conciliation.

Above all things, Mr. Chairman, let us not be infected with the Gaelic spirit of regulation and regimentation for their own abstract sakes. Let us not grow hysterical about lawmaking. Let us not fall in love with enactments and penalties because they are so logical and sound so pretty and look so nice on paper. Let us cultivate a robust Anglo-Saxon spirit of insensibility and tolerance, toughening ourselves manfully to the sight of much that we abhor, and of still more that we can but imperfectly understand. The death rate is not rising, in spite of all quackery. That shows that we are not in any crisis of danger, and surely justifies you in letting well enough alone.

Mr. President, the broad-minded view thus taken of this question by one who has been educated in a medical school, and whose sympathies were clearly with that school of healing, makes one think better of his country. It is a bright light shining out of the darkness of intolerance and bigotry.

The bill was defeated in Massachusetts, much to the credit of the State. The effort to secure its passage was attempted again this year, as it has been every year for several years past, but the effort signally failed. It is said, whether truthfully or not I do not know, that Prof. James was reprimanded by the then president of Harvard University for his utterances on this occasion and cautioned against repeating them, the reason given being that it was a direct reflection on the Harvard Medical School.

The estimation in which medical healing is held is indicated by the following editorial from the San Francisco Call:

Medical, hygienic, and therapeutic freedom will supply the subjects for consideration at the conference of the northern California branch of the League of Medical Freedom, which meets in this city on Thursday. The league represents a movement that stands for liberty and

freedom from the dictation of this or that school of medicine. It is constitutionally and radically opposed to setting up an official orthodoxy in the practice of medicine. It is opposed to the movement that would place in the hands of one school an artificially created authority to enforce its doctrines, practices, and beliefs on an unwilling public.

If medicine were an exact science there might be some apology for the legal enforcement of orthodox practices, but this is notoriously not the case. "Doctors differ" as much and as widely to-day as they did a hundred years ago. For example, the believers in Christian Science are legion and, although they are not medically orthodox, we know, everybody knows, that they have accomplished valuable and even marvelous results. The movement formulated in the Owen bill, now pending before Congress, for the creation of a national health department, is intended primarily to set up a medical orthodoxy invested with power, if not to prohibit, at least to hamper, practitioners and patients who do not hold the tenets of a regular school.

There are a dozen differing schools of medicine, and one of these seeks a monopoly created by law and invested with authority to make things unpleasant for all whom they regard as medical heretics.

Mr. President, it is not only that the practice of medicine is not a science and is uncertain and unreliable, but the political and tyrannical methods used by the doctors in attempting to force through objectionable and oppressive laws are subversive of liberty. The following, from the Columbus Medical Journal, shows how the people regard such methods:

MEDICAL GRAFT OPPOSED.

The doctors have a bill before the legislature in the State of California which, if passed, will give them complete control of the public schools and reduce our school children to a medical tyranny that could not be duplicated anywhere on earth. The following is an account of it, taken from one of the California papers:

"A bill in the legislature, drawn by Prof. Leslie, a public-school teacher of Los Angeles, is being fought by the National League for Medical Freedom. It is urged by the allopathic, or regular, doctors.

"The bill provides for the establishment in the public schools of California of 'health and development supervision.' Practically this means, as elaborated in the bill, the hiring by the State of hundreds of doctors, dentists, nurses, experts in all the various branches of mental and physical upbuilding, at a cost of hundreds of thousands of dollars a year. These doctors would examine and treat pupils free.

"Besides the work of these medical men in the schools, Prof. Leslie adds: 'An effective follow-up service, which shall bring about effective cooperation between parents, teachers, and school authorities in meeting the demands of health, growth, and efficiency of pupils, students, and teachers; said follow-up service shall be conducted by examining staffs, assisted by trained nurses and social-service workers.'

"The bill puts all this under the direction of a State director of health and development at \$4,000 a year. Assisting him would be an immense staff of physicians and all the adjuncts of hospitals, laboratories, gymnasiums, etc.

"With county medical directors, as planned, there might be 58 of those doctors alone. The possibilities for graft under the bill are tremendous. The University of California is designed to furnish the main supply of experts for the work. As its medical schools are both allopathic, it is readily seen that the bill plays into the hands of the Medical Trust, now firmly rooted in California, and would furnish it a new and magnificent field of operation and profit.

"It goes without saying that no regular physician would appoint or work with others of differing schools. The bitterness of the opposing factions in the curative sciences is intense. Leslie, the author of the bill, who has been here for weeks pushing it, is a humanitarian, apparently without guile, but his measure is believed by legislators who have examined it perfectly fitted to make a powerful politico-medical machine which would run schools, pupils, and parents for the benefit of the allopaths.

"The allopaths maintain a lobby here right along. Besides, through their influence as family physicians to a majority of the more prosperous citizens of the State, they have decided influence with the heads of these families throughout California. All this influence is being used, except by those allopathic doctors who see the evil of the bill.

"The National League for Medical Freedom is against the measure. This league is composed of members of all the other schools of medicine, surgery, etc., other than the allopathic. The homeopaths, osteopaths, naturopaths, eclectics, Christian Scientists, and others think the "The objections of the league are stated briefly:

"There is no necessity for such a bill. It is un-American, tyrannical, and abridges individual liberty.

"It opens up possibilities of looting the State treasury and increasing taxation through the employment of an army of physicians and experts and the establishment of numerous special schools.

"It opens a way for one school of medicine to obtain a medical monopoly and give them a strangle hold on the public schools which could not be shaken off in years.

"The league says that the enactment of the bill into law would be the beginning of medical slavery and State medicine. A fine and imprisonment is to punish State employees who fail to carry out the provisions of the bill."

"The bill was introduced into the assembly by Assemblyman Cattell, of Los Angeles. The allopathic physicians of California, through the State Medical Association and its agents here, are determined to get it through."

Fortunately for the good name of California, this iniquitous bill was defeated.

Following is another account of how they do it in Illinois:

[Copy of a letter circulated in Illinois.]

CHICAGO MEDICAL SOCIETY (ORGANIZED 1852),

SECRETARY'S AND TREASURER'S OFFICES,

September 6, 1910.

Dr. E. LANDUS, Chicago, Ill.

DEAR DOCTOR: In the primaries of the respective political parties to be held September 15, the following candidates are deserving of consideration at the hands of the medical profession residing in the twenty-fifth senatorial district: Messrs. Crocker, Waage, Freund, and Olson, each having agreed, if elected, to support the medical profession and the public in the forty-seventh general assembly in their effort to prevent the passage of any vicious medical legislation.

At the last session of the legislature your Representative Breidt voted "Yes" for senate bill 214 (osteopathic), but did not vote on senate bill 351, which was in substance the same as No. 214. As no

organized effort was made to prevent the enactment of No. 214 until after its passage in the senate, and the fact that senators voting for the bill in many cases did so under the impression that the bill met with approval of the medical profession, we therefore feel that no effort should be made to punish anybody for voting yes on 214, but with 351 the situation is different. They should be held strictly accountable for voting yes on No. 351.

Mr. Hulzee voted "No" on 214; was absent or not voting on 351. Deserving of your condemnation politically is Charles L. Fieldstack, who voted "Yes" on No. 214, and, in spite of the missionary work that was done and the pressure brought to bear from his physician constituents, he repeated the dosage by voting "Yes" on 351, and he should be held strictly accountable for so voting, as both were vicious measures granting special privileges to certain cults who desired to enter the practice by a short and easy route—medicine. It is incumbent upon the physicians in the twenty-fifth senatorial district to see that Mr. Fieldstack is eliminated politically on September 15.

Every family in the twenty-fifth senatorial district is attended by some member of our profession. Our power is great if we make a concerted move. It is up to you to do your part. Will you do it? Let us hear from you.

Fraternally, yours,

ALEXANDER H. FERGUSON, M. D., Chicago,
President.

ALFRED C. COTTON, M. D., Chicago,
President.

GEO. F. SUKER, M. D., Chicago,
Secretary.

EDMUND W. WEIS, M. D., Ottawa,
Secretary.

J. V. FOWLER, M. D., Chicago.

J. M. LANIN, M. D., Chicago,

M. S. MARCY, M. D., Peoria,
Chairman.

CHAS. J. WHEALEN, M. D., Chicago,

Chairman.

Public Relations Committee of Chicago Medical Society,
Committee on Medical Legislation,
Illinois State Medical Society.

N. B.—Most voters have no special choice and few will refuse their family doctor. Get busy. There is another point you want to remember: If you happen to be of opposite political faith, it is no reason that you have not 50 or 100 friends that you can see who are of the same political faith as the candidate. Don't forget the "personal favor." We ask you to see 50 or 100 friends that are voters. Do you realize what this means? Eleven thousand physicians in Illinois seeing the number indicated would amount to the following: Eleven thousand times 50 equals 550,000 voters. This means victory, something that each individual physician should feel proud of. Talk it over with your brother practitioners and clients.

I submit another newspaper item from Medical Freedom, taken from the New Orleans Times-News. It shows such pernicious activity and indecent haste to secure the appointment of a public official who would be friendly to the legislation the doctors were seeking as to excite just indignation, and the extent to which they propose to go in the effort to procure favorable action by Congress:

TO SUCCEED WYMAN—AMERICAN MEDICAL ASSOCIATION SAYS SELECTION OF DR. WHYTE, OF NEW ORLEANS, WILL INSURE DEPARTMENT OF HEALTH—DR. M'CORMACK, POLITICAL MASTER OF THE A. M. A., STARTED HIS MACHINE WORKING BEFORE GEN. WYMAN'S FUNERAL DATE HAD BEEN SET.

It has been no secret that the A. M. A. opposed the late Walter Wyman, Surgeon General of the United States. Its members made many demands for his retirement because he did not use his office to lobby for their pet measure—the National Department of Health. The following item from the New Orleans Times-News bureau naively tells a story of political selfishness, haste, and bad taste that would be almost incredible if it emanated from elsewhere than the "political doctors."

The item reads: "A boom has been launched, having for its object the landing of Dr. J. H. Whyte, head of the United States Marine-Hospital Service at New Orleans, for the vacancy as Surgeon General, caused by the recent death of Dr. Walter Wyman. The effort comes from Bowling Green, Ky., and the Louisiana State Board of Health was apprised of it in a letter received from Dr. Joseph H. McCormack, of that place, and a member of the council of health and public instruction of the American Medical Association, which booms Dr. Whyte for the place enthusiastically.

The following is the text of the letter sent Dr. Oscar Dowling, president of the State board of health, New Orleans, La.:

"DEAR DOCTOR: Am just in receipt of a telegram announcing the death of Gen. Wyman. Am writing to know if you will at once bring every influence to bear on President Taft, through your Senators, Representatives, and others, to have Dr. Joseph H. Whyte, of New Orleans, appointed as Surgeon General. He is one of the strongest men in the service, has always been an active advocate of the National Department of Health, and his appointment almost assures its creation.

"Trusting in your full cooperation, and asking to hear from you, I am,

"Cordially, yours,

J. H. McCORMACK, M. D."

I have no doubt that Dr. Whyte is a very worthy man and would have made a good Surgeon General, but it is fortunate that he was not appointed with such influences behind him. It is quite likely that his support defeated him, for the President knew of this letter before the appointment was made, and the President is a just man possessed of a high sense of decency and the proprieties.

COLLECTION AND DISSEMINATION OF INFORMATION.

The bill provides:

That it shall be the duty of the bureau of health to collect and disseminate information relating to the public health.

This is one of the most deadly provisions in the bill. This Government is now spending hundreds of thousands of dollars to send broadcast the details of sickness, disease, and suffering.

It is by this means planting the seeds of disease and killing more innocent and unsuspecting people than drugs ever saved. The people are being taught to think of sickness, disease, and death when they should be thinking of health and life. Doctors are traveling all over the country describing the symptoms and causes of tuberculosis and other life-destroying diseases, not only to grown men and women, but to school children. They describe the so-called disease germs or microbes and their effects on the body, and picture, by word of mouth and by charts, illustrated lectures, and moving pictures, the ravages of the disease. These horrifying and gruesome pictures and senseless and inhuman details of the causes and ravages of disease excite the very fear that breeds and fosters disease. These lectures are given in the schools and innocent children are made their victims. Instead of being encouraged it should be made a crime.

I have a letter written by a lady to the League for Medical Freedom calling attention to one case of this kind. Fortunately the chief offender in this case was not a doctor. He was the representative of the Antituberculosis Society. But the incomprehensible thing about it is that the teachers and officers of the public schools in an enlightened community should allow such an outrage to be committed. The letter is as follows:

Inclosed please find a few clippings that may be of interest to you. Mr. Dee Brown—he is not a doctor of medicine, but of philosophy—is being paid by the Anti-Tuberculosis Society to come here and enter on a campaign of a month to address all the schools in the city and educate them along the lines of symptoms and their results of this disease. They started in on Friday, and it happened that they went to the grade schools on the west side—that is, those that are in the section we call the Union School—by noon they reached the Union High and assembled the high-school children in one of the rooms. He went into the minutest detail of the symptoms of this disease, and told them that they might have the disease and not know it; that many times the tissues of the lungs were so badly gone before the patient knew that he had the disease that there was no help for him. He said sometimes you may have a tired feeling in the morning; this is one of the marked symptoms. You may have a flush on your cheeks, and not know this is one of the worst symptoms, and he went on down the line. He filled the children so full of fear that one beautiful tall girl fell in a dead faint on the hard floor, striking on her temple, and they were obliged to call a carriage and send her home, and when one of the teachers called at the home Saturday afternoon she had not regained consciousness enough to realize what had happened to her. She is still under a doctor's care, with a very bad black eye and face. Two other girls were helped out of the room and one or two others braced up by the teachers, and the boys fairly turned pale.

Everybody supposed, of course, he was a physician, and they could not understand his unprofessional way of presenting his subject to these children. They teach these children to have implicit confidence in what they teach them, and, of course, their thought is receptive. After the talk the children stood around in groups and expressed themselves as being very much disturbed because they were obliged to listen to such stuff, and a number of them went to the teachers afterwards and asked why they were obliged to listen to it.

Monday morning he went to the Central High, and his talk was the first hour. They locked the session doors and compelled all the children to enter the general assembly hall.

Saturday, Sunday, and Monday we got busy on this work, and did all we could to have the lecture toned down and the worst part eliminated, but now we are setting about to have the entire lecture course eliminated. We have appealed to the parents of our city, as many as we can reach over the phone, and asked them to send in protests to the board of education. Last evening was the regular monthly meeting of the board, and a few went up to the meeting and personally protested, which resulted in a committee of three being appointed to investigate the matter and hear some of his lectures. I do not think he will dare to give again the talk that he gave to the Union High children.

This man has just finished a campaign in Wisconsin, covering the State completely, and he has now entered Michigan to do the same thing. I am going into detail, thinking it may be of some help to you with the work in the State, and if Detroit has planned for a similar campaign you will be better prepared to head it off.

We had a talk with the girl's attending physician and he said it was outrageous. Such talk should never be allowed in even one instance, etc. He gave us the privilege of using his name, but, as he has stated, he is not an agitator and he is not one to stir things up much.

I hope you will advertise this, for it needs all the publicity we can give it. Mr. Weston is writing an article for us this week and we are going to send out 500 of them to the parents of school children. We have a meeting of the executive committee of the league this afternoon and we will plan something in the way of a protest. We are doing all we can to have it eliminated from the schools, and if they want to give such talks to give them to the adults.

With best wishes to all,
Sincerely,

FRANCES W. SPEARMAN.

Mr. President, see how this idea grows. Here is another enlightened guardian of the public health proposing to educate children in the knowledge of disease by introducing moving pictures of the ravages of tuberculosis and disease germs. He got the idea from a young girl who had learned to "describe the formation and construction of tuberculosis bacillus to a surprising degree," he says. And she got this gruesome information from illustrated lectures in Carnegie Hall, in New York. Here is the account given of it by the Memphis Press:

As to the paths to be pursued before this term end by public-school children in search of facts pertaining to health welfare, it is probable that "a child shall lead them." For it was a child's knowledge of things beyond the ken of physiology textbooks in the public school which set Dr. M. Goltman, city health officer, to thinking out a plan for furthering the knowledge of school children in the matter of health.

As a result lectures on health subjects, illustrated by moving pictures, will sooner or later become a feature of public-school instruction. This

will follow the advent of more school inspectors, which Dr. Goltman is now striving to have added to the meager force.

"I got my idea from conversation with my 13-year-old niece in the East," said Dr. Goltman. "She was able to describe the formation and construction of tuberculosis bacillus to a surprising degree, and she knew other things a growing child should know, and knew them in the right way. I was astounded, and asked if she learned those things in school. She said no; that she attended illustrated lectures at Carnegie Hall and like places, because she was interested. These places are open to those who care to attend in New York, but I thought to myself, 'Why not build up a course of study and instruction in the public schools along those lines?' And if I have my say, Memphis will have the first regular course in its public schools of health and hygiene with the aid of moving pictures, thus going New York one better in its estimable work."

One would think this fearful raid on the health and lives of the children might stop there. But the doctors seem to be vying with each other in efforts to diseased the minds of innocent children and ignorant adults. At the sixty-fifth annual meeting of the Ohio State Medical Association Dr. C. C. Probst, of Columbus, in an address on "The protection of child life," said:

More progress would be made if no further effort were made to "teach old dogs new tricks," but attention should be devoted to the training of the school children in hygiene and sanitation and physical education. This would mean a new man in school life—a school physician. It would mean school supervision, not school inspection.

And at the sixty-first annual meeting of the American Medical Association, at St. Louis, June, 1910, the use of the theater as a means of conveying information about disease and disease germs was recommended. Dr. Masyck P. Ravenal, of Madison, Wis., had this to say on the subject:

In regard to the use of the theater for instructing the public along the lines of preventive medicine, may I tell you what we have done in Wisconsin? Many of you have probably seen notices in the newspapers of the play "In Germland." This was given by the young ladies taking work in the department of bacteriology and hygiene at the University of Wisconsin. The characters were all dressed in costumes representing as nearly as possible various germs as we see them in stained preparations, both the useful and the harmful germs being represented. No charge was made for admission, cards of invitation being issued. It was given as a department matter for our own entertainment and instruction, yet the demand for admission from outside taxed the resources of our hall to the utmost, and throughout the country the greatest interest was excited.

Our stage scenery was made as instructive as possible. We showed dirty roller towels on the wall, spittoons, garbage cans marked "No. 23," the common drinking cup, the common sponge, the feather duster, the broom—emphasizing as much as possible the bad features of such things. We had a large rat trap containing the rats which the women have been wearing in their hair so much of late. A garbage barrel filled with broken bottles and tin cans was called the "Germland Theater," and the play announced was "The Place, the Man, and the Germ."

These things as we presented them were quite amusing. They catch the popular eye and at the same time give a great amount of instruction to those who have never thought on such matters before. This play is being revised and improved, and during the coming year is to be put on the stage by professionals. I am sure this sort of work will do an enormous amount of good in educating the public.

But the height of cruelty and folly seems to have been reached by the Kansas State Board of Health. It has published a "health almanac." In its number of December, 1911, the board assumes to let the people know what diseases they may look forward to each month in the year. It opens with a repulsive picture of a woman cruelly pitted with smallpox, with the statement under it, "Never vaccinated." But this is not really the worst of it. They take a page of their so-called almanac for a disease with the following headings: "January for smallpox, February for pneumonia, March for measles, April for whooping cough, May for good wells and good water," with the cheering statement for May that—

Bad or impure water is more dangerous than the deadliest poison and always affects those who drink it. Wells are polluted by organic matter getting into them. This matter comes from human beings or from animals and is always bad for those who drink it. If it comes from a case of typhoid or from a person who carries typhoid germs and gets into the well it will produce typhoid fever in those who drink it.

June for infants' complaints, July for flies and mosquitoes, August for typhoid fever, September for diphtheria, October for scarlet fever, November for colds and influenza, and December for consumption.

These doctors, if they are worthy of the name, know that two great causes of disease are fear and suggestion and that suggestion is the prolific cause of fear, disease, and death. And yet they deliberately send out broadcast, at public expense, a suggestion—probably a false one, but that makes no difference—that in each month of the year a specific and deadly disease may be expected and feared. It is the refinement of cruelty and the depth of ignorance in a matter of life and death if it is not malicious.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Idaho?

Mr. WORKS. Certainly.

Mr. BORAH. May I ask from what the Senator was reading a few moments ago? My attention was diverted.

Mr. WORKS. Does the Senator refer to the last extract I was reading?

Mr. BORAH. Yes.

Mr. WORKS. That is from a health almanac issued by the board of health of the State of Kansas. [Laughter.]

Mr. MARTINE of New Jersey. Mr. President, will the Senator from California permit me to make one suggestion?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from New Jersey?

Mr. WORKS. I do.

Mr. MARTINE of New Jersey. I would suggest to our genial and happy friend from Kansas [Mr. BRISTOW], with that staring him in the face, that he might move at once to New Jersey. We will offer him a calendar of life, health, happiness, and prosperity all the year round. Come and be one of us.

Mr. WORKS. This persistent suggestion of disease and its alleged causes is creating more disease and sacrificing more lives than are all the germs that have been discovered or imagined by man.

Mr. President, I said a moment ago that I thought the height of cruelty and folly had been reached by the State board of health of Kansas, but I have discovered something even worse than that. What is called "A circular for school children" has been distributed in some of the schools of this country that seems to me to go further in the way of spreading improper information than anything I have yet seen. It pictures a small boy examining disease germs through a microscope. The circular says:

Then there are so many bad fairies which cause disease. Different kinds of them cause different diseases. * * * These little fairies are called bacteria or germs and are the smallest of all living things. They are found everywhere—in the air, the soil, the water, in our bodies. A quart of well water would contain a million of them.

Then follow illustrations of the different kinds of deadly disease germs with a statement under each group of the diseases they cause. Then the circular undertakes, by illustration, to show how the germs of tuberculosis are carried. The point of a pencil is pictured, covered with such germs as come from the mouth of the victim, and the picture of a fly is set out with its legs loaded with disease germs. A picture of a sick man in his invalid chair is given, with children taking some of his food from a spoon, with the statement under it: "The germs that attack us come from the bodies of the sick." Other pictures of the means by which disease is conveyed are given.

An emaciated consumptive, apparently in the last stage of the disease, is pictured as spitting upon the floor, and a woman sweeping up the sputum after it has dried. A little child is pictured as sitting near by, with the statement under this picture, "The germs may enter the bodies of children playing on the floor." Two persons are pictured as sitting at a table, one of them a consumptive, with the statement below it, "Others may get the disease by breathing"; and still another case, a small boy, emaciated by the disease, taking a bite of something, with two healthy-looking little fellows standing by, saying, "Give us a bite," with the statement under this picture, "Putting food, money, pencils, etc., into the mouth after a consumptive has poisoned them with his spit."

Now, Mr. President, I can not conceive of anything more cruel and inhuman than the loading of the minds of little children with such information as this. Physical ill treatment or abuse can not be compared to it, and yet I find the superintendents and teachers of the schools and boards of education not only permitting this sort of literature to go into the schools but actually encouraging it. They may be partially excused by their apparent ignorance of the palpable consequences of such impressions upon the minds of the young, because like a good many other people in this country they do not think for themselves or try to understand the effects of such suggestions as this circular contains, but accept it because the doctors approve it. I am sorry to bring to even the attention of the United States Senate such brutal and inhuman suggestions; and when one thinks of filling the minds of children with this kind of stuff, it is nothing less than horrifying.

Fortunately, some public officials, not doctors, are humane and sensible enough to attempt to stay this fearful filling of the minds of children with these hideous details of disease. The mayor of San Francisco, Cal., is one of these. I submit for the consideration of the Senate an editorial in the San Francisco Star of February 12, 1912:

A WORD FOR THE MICROBES.

Here are recent words of Mayor Rolph that are commended to your consideration:

"I think you should go slow about the methods of eradicating tuberculosis. I hear so many mothers in the mission say that this tuberculosis scare has been so driven into the minds of their children that they come home saying they are filled with aches and pains, and have backaches and stomach aches and one thing and another. I heard

this discussed last night, and that germs of every human ill have been shown on magic-lantern slides—pictures that make children get the idea that their bodies are covered with germs. I do think that you ought to be very careful to first study out well the effect of all this and prevent what is evidently intended to make children think they are filled with all kinds of diseases, when you know, as a matter of fact, they are not, and that what you are really trying to do is only to prevent disease."

Amen. Also hallelujah and God save us. The mayor is right. A child may be scared into sickness as well as safeguarded against it. We have overworked the microbes, poor things. They are good, bad, and indifferent, but no matter how irreproachable their character our children have been indirectly inoculated with the idea that they should be regarded as malefactors and goblins.

The fact is that man has slowly educated himself up to the point where he is scared to death by death. This is why 10,000 fads of healing bud and blossom in our midst. I remember very well when a stomach ache was cured by Jamaica ginger and a mustard plaster. Now the chances are that nothing but removing the vermiform appendix will do the business; after that, if one has a stomach ache he may try the old remedies.

Again, the mayor is right. We show our kids pictures in which human flesh is portrayed as the grazing ground of all sorts of apparent antediluvian monsters. What wonder if the half-formed minds of the children get the idea that there is not much hope for them; if they are "filled with aches and pains and have backaches and stomach aches"? Deuce take it! how can they expect anything else with megatheriums and other bacilli at work?

The Ohio State Journal in its issue of November 27, 1911, contained this sensible editorial on this subject:

THINKING HEALTH.

We find this very suggestive paragraph in a book entitled "Philosophy of Self-Help":

"The most prevalent and the most dangerous of all forms of infection is mental. It is far easier to get bacteria out of the body than to eradicate disease germs from the mind once they get in. Thinking and talking about disease prepare the mental soil for its reception. Fear and expectancy promote its growth."

We apply this thought to medical inspection of schools, which tends to fill the minds of the children with thoughts of disease. It is entirely uneducational to do so. It is the easiest thing in the world to transfer an ailment of the body into a disease of the mind, and when that becomes a child's condition, he goes through the schools carrying a heavy load. And that condition of the mind tends to promote disease. One disturbs the free activity of the mind by turning it in on physical ills.

The best hope of health is to think health, and that suggests the sort of education a child is entitled to. It will be a hard matter for even a well child to grow grand and good out of a consciousness of surrounding physical ills.

Mr. President, the doctors are using every means possible to get themselves into the schools. They are trying to teach unthinking people that this is necessary to the public health. What a dreadful mistake! The presence of the doctor who thinks nothing and talks nothing but disease, is full of fear of microbes and the thousands of causes of disease that had better never have been known, is little better than a death's head in the schoolroom. Better have someone to teach the children that good is more powerful than evil; that we make disease by thinking it; and to be thinking of better and higher things than the material causes of disease. This will never be a healthy Nation until the people are freed mentally from this dreadful, all-pervading fear of disease. Men and women burdened with all these false beliefs and fears are slaves to their wrong view of life.

Mr. President, this nefarious onslaught on young children and the spread of disease through suggestion and fear has grown worse and worse. And now the Government is to be asked to become a party to this spreading of disease by collecting and disseminating like information for the whole country to read. What a fearful responsibility must rest upon the people who are disseminating such information.

Every doctor worthy of the name knows that fear is one of the most prolific causes of disease. He knows, too, that suggestion of disease is equally deadly in its effects, especially on the timid and fearful. And yet, with full knowledge of this, they set about in the most direct and forceful way to suggest the existence and presence of the very diseases they claim to be combating and to implant in the minds of the old and young the fear that engenders the disease. If the evidence of this cruel wrong was not so direct and positive it would be beyond belief. A very interesting article on the effects of fear, by Dr. Orison Swett Marden, was published in the Philadelphia Evening Bulletin February 24, 1912, and is worthy of the attention of the Senate. It is as follows:

Fear in all its different phases of expression, such as worry, anxiety, anger, jealousy, timidity, is the greatest enemy of the human race. It has robbed man of more happiness and efficiency, has made more men cowards, more people failures, or forced them into mediocrity, than anything else.

Fear has a paralyzing, blighting influence upon the whole being. It impoverishes the blood and destroys health by impairing the digestion, cutting off nutrition, and lowering the physical and mental vitality. It crushes hope, kills courage, and so enfeebles the mind's action that it can not create or produce.

Many people are afraid of nearly everything. They are afraid of a draft, afraid of getting chilled or taking cold, afraid to eat what they want, to venture in business matters for fear of losing their money, afraid of public opinion. They have a perfect horror of what Mrs.

Grundy thinks. They are afraid hard times are coming, afraid of poverty, afraid of failure, afraid the crops are going to fail, afraid of lightning and tornadoes. Their whole lives are filled with fear, fear, fear.

Fear strangles originality, daring, boldness; it kills individuality and weakens all the mental processes. Great things are never done under a sense of fear of some impending danger. All work done when one is suffering from a sense of fear or foreboding has little efficiency. Fear always indicates weakness, the presence of cowardice. What a slaughterer of years, what a sacrificer of happiness and ambitions, what a ruler of careers this monster has been!

One of the worst forms of fear is that of a foreboding of some evil to come, which hangs over the life like a threatening cloud over a volcano before an eruption.

Some people are always suffering from this peculiar phase of fear. They are apprehensive that some great misfortune is coming to them, that they are going to lose their money or their position; or they are afraid of accident or that some fatal disease is developing in them. If their children are away, they see them in all sorts of catastrophes—railroad accidents or shipwrecks. They are always picturing the worst.

The fear habit shortens life, for it impairs all the physiological processes. Its power is shown by the fact that it actually changes the chemical composition of the secretions of the body. Fear victims not only age prematurely, but they also die prematurely. Oh, how many victims fear has put into the grave. It has driven people into all sorts of crime through unbalancing the mind. It has caused terrible tragedies in human life.

There is not a single redeeming feature about fear or any of its numerous progeny. It is always, everywhere, an unmitigated curse.

A man who is filled with fear is not a real man. He is a puppet, a mankin, an apology of a man.

Quit fearing things that may never happen, just as you would quit any bad practice which has caused you suffering.

Mr. President, the dangers of disease and death are kept constantly in the public mind. People are warned to avoid this and shun that, and taught to believe this means one disease and that another, until the weak in body or mind are brought under the influence of this powerful suggestion and the strong are not always able to throw it off. Man is afraid of the food he eats, the water he drinks, and the air he breathes. Possessed with fear, he shuns certain foods that he thinks are hurtful, he shuts out the fresh air, and drinks boiled or bottled water. He has become a very craven, the slave of his unreasonable fears. I have heard a Member of this body declare that he could not ride from the Capitol to the Office Building in a closed subway without taking cold, and therefore he walked while others rode. Another is afraid to take a drink of ice water, because if he drinks it it paralyzes the stomach. Last summer when the thermometer hovered about 90 the Sergeant at Arms had electric fans placed in the Senate to relieve the heat, but if one was put in motion it was ordered stopped. Some one was afraid it would give him cold. And so it would, probably; not because a little fresh air could give anyone cold, but because of his fears. If he could learn not to be afraid, and no one else were afraid for him, he would never take cold. Job said, "That which I greatly feared hath come upon me." So it is with the man of to-day. To fear disease is to invite it. Disease is wholly mental. The material body, without mind, has no sensation. Destroy consciousness and the body does not feel. The condition of mind reacts on the body and makes it sick or well, according to the thought either of the individual or others who think about him. Hatred, malice, revenge, fear, and other wrong thoughts are the breeders of disease. Every competent physician will tell you so. And yet these same physicians are doing more to excite the fears of the people than everybody else. And they are here now, urging Congress to authorize the Government to put out printed information that will feed the fears of the people of the whole Nation and engender more diseases and sacrifice more lives than ever the doctors will heal or save. If the people could once be taught to think and talk health and not disease, harmony and not discord, faith and trust and not fear, life and not death, a health department need not be thought of. If the people could only be taught to trust in an omnipotent and good God instead of the doctor and his remedies, and thereby cast off all fear, disease would be unknown. To one having some of this faith and trust that dispels fear in the degree that one trusts and understands, the thought that is bestowed upon disease, sickness, and death, and the power that is given to them in the human mind is little less than appalling.

Mr. President, I can not keep silent and allow this Nation to become a party to this monstrous propaganda of fear and devastation of its people.

Some of the doctors have realized this and sounded a warning. Dr. P. L. Myer, of Toledo, Ohio, in an article published in the Journal of the American Medical Association as far back as 1906, says:

Had we not better hedge a little before the great lay mind grasps the fact that they were frightened into panicky laws and restrictions over will-o'-the-wisp possibilities and not probabilities or actualities?

With all the wonderful strides of our science in 100 years, we still have the public as abjectly cowed to-day, before the omnipotent hosts

of bacteria, as it was by the evil spirits and ghosts and witches of a past century.

And in 1910 the Journal of the American Medical Association has this very pertinent statement of prevailing conditions:

An aversion to unnecessary contamination by noxious microorganisms may well serve as a protection against disease; but an insane terror of infection may make life very miserable without appreciably lengthening or strengthening it. In the first place, the paradise of faultless prophylaxis—the aseptic Eden which seems to be the ideal of the germophobes—is unattainable. We can not banish microorganisms from our human world; we can only try to keep that balance of conditions most favorable to the life of the human organism. In the second place, the attitude of mind, cultivated in the perpetual endeavor to evade disease, may be almost a worse evil than the disease itself; certainly it furnishes the best excuse for the existence of those sects which deny the existence of all disease and the usefulness of any precautions. "Life is a dangerous thing at best, and very few of us get out of it alive," while those of us who spend all our energies trying to elude its incidental risks might almost as well never have lived at all. Health is largely a matter of a proper balance of opposing forces, and that balance can be preserved, in part, by cultivating a due measure of indifference to inevitable dangers.

From the Ohio Medical Journal of July, 1898, after commenting upon the annual meeting of the American Medical Association of that year, this is interesting:

The political part of the convention continues to be managed by medical politicians; these gentlemen constitute a sect apart, coming chiefly from St. Louis and Louisville, and who come with everything cut and dried.

To which the Atlantic Medical Weekly of August 6, replied:

But granting it, * * * most of the members attend the sessions of the American Medical Association for other reasons and with other purposes than to engage in political bickerings, and are only too glad there are others to do this work for them. * * * They get but an empty honor, forgotten before the next session, and have a great deal of labor for their pains.

WOULD FORCE LEGISLATION.

From a report of the one hundred and third annual meeting of the Medical Society of the State of New York, held at Albany, January, 1909, and published in the Journal of the American Medical Association, February 6, 1909:

If the incoming national administration fails to establish a national department of health the public health committees of the State medical societies should add their force in making public sentiment sufficiently strong to force this movement through.

Dr. Larkin, of Hillsboro, Ohio, in an address to his local county society, a branch of the American Medical Association, said:

We want to make the influence of the county society so strong that no decent, self-respecting physician can be without its portals. We want to make its local influence so great that no legislator can ignore its warnings, and when we ask in the name of humanity that certain laws be enacted for the general good they will heed our demands and be only ready to do our commands.

From the remarks of Dr. H. A. Beaudoux, president of the North Dakota State Medical Association, at the twenty-second annual session of the same, held at Fargo, May, 1909, and published in the Journal of the American Medical Association, June 5, 1909:

We are better equipped to pass sane and important legislation than any other body of men and to make ourselves felt in public matters owing to our intimate relations, as family physicians and advisers, with the voters throughout the State.

It seems that Prof. Irving Fisher, who was chairman of the committee of one hundred, must have had some doubt of the sincerity and unselfish humanitarianism of the American Medical Association, for in Dr. McCormack's report of the executive committee, June, 1910, at St. Louis, he has this to say about the professor:

I was impressed at the outset of our acquaintance that he had not seen the best side of our profession and had some of the prejudices, only more frankly expressed, of the average layman as to its aims and attainments; and asked him to make the same careful study of its plans of organizations and purposes that he had given to other problems, with the result that he soon became one of our most appreciated friends.

Of Senator OWEN he writes:

Soon another great layman, Senator ROBERT L. OWEN, of Oklahoma, entered the lists as our official advocate in the National Senate. * * * It has been one of the greatest privileges of my life to be intimately associated with these two lay friends of ours, OWEN and Fisher, etc.

Sometimes some more conservative counsels intervened, but they were promptly suppressed. At a council of the association an attempt was made by one of their number to check the political activities of the organization, but it was a melancholy failure. The following account of it appeared in the Illinois Medical Journal of March, 1912:

Dr. Henry B. Favill, of Chicago, presided and uttered an address which was quite remarkable, and led up to the most dramatic climax it has ever been our privilege to witness. Dr. Favill's remarks were to the effect that the activities of the profession in political matters had brought about considerable criticism from a portion of the public. We had been accused among other things of being "a professional trust," of using "trade-union methods," etc. Because of these disagreeable statements Dr. Favill thought it the part of wisdom to at once abandon our efforts along political lines and depend altogether on our efforts to educate the people. * * *

THE DRAMATIC CLIMAX.

Scarcely had the chairman taken his seat, ready to call for the next order of business, when Dr. J. M. McCormack, of Kentucky, sprang to his feet, and in eloquent language called attention to the stand taken by the parent organization at the Los Angeles meeting. The representatives of the organized profession, duly elected and clothed with plenary power, had pledged the organization at its annual meeting to a continuation of the contest which it had commenced, and instructed its committees and its journal to use their utmost endeavors to procure the passage of the Owen bill. If it should go out to the public that this conference, after all that had been said and done, had to-day taken a different stand, and should by its silence give consent to the doctrinaire sentiments of the chairman, a blow would be struck at the good faith of the profession from which it would never recover. Mr. OWEN, who had taken his life and his political fortune in his hands in advocating our cause, would go down to a disgraceful defeat, and the blood of this sacrifice would be on our hands.

It has been the studied effort of the American Medical Association to secure teachers, particularly in the public schools, to cooperate with them. In this way they could reach the young people and bring them under their influence, thereby securing the influence of the teachers themselves as affecting public sentiment. Dr. McCormack, who was the leading spirit in all efforts to extend their organization and increase its strength and influence, had this to say on that subject at the Atlantic City session in June, 1909:

I am constantly impressed with the possibilities of this work before educational bodies and schools, and especially in institutions which are engaged in preparing teachers, editors, lawyers, clergymen, and other leaders of public opinion for their life work. The popular distrust of the profession, ordinarily passive but ready to become active and to be utilized by the various quack and other antagonistic interests, can scarcely be overestimated, and probably can never be eradicated from the once infected adult mind. The experience of recent years has convinced me that with the aid of the teachers and schools, an aid which will be ours for the asking anywhere, a generation of voters and legislators can soon be so trained that the vast interests represented by preventive medicine will come to be appreciated as among the most important and cheaply and easily conserved of the Nation's resources, the unselfish aims and purposes of the profession will be recognized, and constructive statesmanship can be submitted for the time-serving political methods which have so long obtained in our public affairs, local, State, and National. For these and other reasons which can not be enlarged on here, I would urge such an alliance between physicians and teachers in every section of the country as will make all that it involves in our work matters of common knowledge. In short, the future, as I see it, was never so full of promise, if the people can be frankly taken into our confidence and more sense and greater dignity can be made to obtain in our relations with the public and public affairs.

The doctor seemed to be impressed with the idea, evidently well founded, that the doctors composing the organization are not in public favor. He seemed to think that an alliance with a respectable body like the teachers would relieve them from this feeling of distrust. Unfortunately, too many teachers have unwittingly been made the instruments of the association for such a purpose.

The following article entitled "The county board of health," by Dr. W. S. Rankin, secretary of the State board of health of Raleigh, N. C., shows something of the length to which they are going in the effort to mold public sentiment and secure outside help:

EDUCATIONAL WORK.

Here is a vast field of unlimited possibilities wherein the board of health may do its most important work.

The educational efforts of the board of health have three possible agencies through which to find expression, the public school, the pulpit, and the press.

The receptive and pliable mind of developing citizenship is the most prolific soil in which to sow the seed of sanitary regeneration. Certainly there is nothing more vital to the future welfare of all the people than that our school children shall be taught the value of health, that it is fundamental to all other possessions, and that it is a thing that can be easily conserved or easily wasted. There is a law that requires our public schools to teach Ritchie's Primer of Sanitation to all pupils in the seventh grade. County boards of health should see to it that this law is rigidly observed.

In the December Bulletin we suggested the purchase by the county of an acetylene lantern and slides. The entire outfit can be obtained for \$100. If the county board of health would invite the cooperation of the county medical society and work out with that organization a program of lectures to be given by the members of the county medical society to the various public schools in the county, nothing would go further in arousing the sanitary conscience of the county. The lectures should be given at night in the public schoolhouses. A week preceding the lecture the county superintendent of schools should forward to the teacher of the school a quantity of handbills announcing the lecture, and these could be distributed through the school children throughout the community. If the county medical society does not care itself to prepare a set of standard lectures on important sanitary subjects, the State board of health will be very glad to furnish these lectures already prepared, so that little time will need to be given the matter by the individual members of the county medical society. For fuller detail in regard to this plan see 313 of the December (1911) Bulletin.

Another very effective method for emphasizing the importance of the study of sanitation in the schools and for securing the interest of the children, and one that has been put to extensive use by many progressive communities, is the offering of prizes for compositions on public health subjects. Asheville, Wilmington, and Smithfield, among other towns in North Carolina, have adopted this idea. A county in Alabama obtained such splendid results in increasing the interest of the people in matters of sanitation through a series of prizes offered in the public schools of the county for compositions on tuberculosis, sanitation, flies, etc., as to have attracted national attention. What has been done in Alabama can be done in North Carolina.

The county medical society should use its influence with the newspapers of their county to secure the publication of articles bearing upon public health. The newspapers of North Carolina recognize the importance of this public opinion and are lending the use of their columns unstintedly for the promotion of public health. County boards of health should keep the editor of the county paper informed in regard to local conditions and events that affect the public health. The State board of health prepares weekly newspaper articles on the subject of public health and sends them to all the newspapers of the State. If your county paper has not been publishing some of these articles, the board of health might call attention to the possible oversight and use its influence in securing more frequent references to this matter, which should deeply concern the public.

Mr. President, the full title of Ritchie's primer, referred to in the last article, is "Primer of sanitation: Being a simple work on disease germs and how to fight them." And the following are the subjects treated in this so-called work on sanitation:

Why the study of disease germs is important.
The cells of the body.
Disease germs and how they get into the body.
The struggle between the body and the germs.
Bacteria.
The skin.
The pus-forming bacteria.
Tetanus (lockjaw).
The air passages and the lungs.
Diphtheria.
Pneumonia.
Influenza, whooping cough, and colds.
Tuberculosis.
The treatment of consumption.
Disease germs in dust.
The alimentary canal.
Typhoid fever.
Diseases caused by relatives of the typhoid germ.
Other bacterial diseases of the intestines.
Disease germs in water.
Other bacterial diseases.
Protozoa.
Malarial fever and yellow fever.
Mosquitoes.
Smallpox.
Other protozoan diseases.
Intestinal worms.
The importance of sanitation.
The housefly.
Disease germs in food.
Disinfection.
Unhygienic habits.
Public sanitation.
What governments can do to preserve the public health.
Practical sanitation.

This is the kind of reading that is being offered to the children of the country and attempted to be forced upon them, for the study of the book has already been made compulsory in the State of North Carolina and, I understand, in some other States.

There has been much complaint that the earnings of the doctors have been falling off. Hence the extraordinary efforts through political means and unjust restrictive legislation to retrieve their fortunes. At the meeting of the San Francisco Medical Society in January, 1899, Dr. Charles G. Kuhlman read a paper in which he showed that the average earning capacity of California's 3,000 doctors should be \$5,000 each per annum, but because "irregular" physicians were allowed to practice and of bad debts it was only \$850, or one-sixth of what it should be, entailing a loss to the "regular" doctors of that State alone of \$10,000,000 per annum.

That was certainly a bad showing for the regulars. He urged as a remedy "a better organization of the medical profession into a distinct corporation and which should be, to be perfect in its results, not merely local or State but national in its character." The doctor's advice was taken. Now the regulars have just such an organization as he hoped for, and it has not hesitated to use every means within its reach, political and otherwise, to circumvent the irregulars and put them out of business. To this end they have spent millions of dollars, and the people are no better off, nor have the regulars increased their earning capacity or increased for themselves the public respect or confidence. Their case is no better, but seemingly worse, than it was before, as indicated by the following extract from the New York State Journal of Medicine of March 12, 1910:

The profession has not fared well at the hands of legislators. The legislation secured to elevate the standard of the profession and protect the public from quacks has resulted, with the help of the same legislatures, in turning turkish-bath rubbers into doctors, and the optician has succeeded in usurping some of the most delicate functions of the physician. If the legislature continues to license successive schools of quackery, we may well question the wisdom of State control of license to practice medicine. On account of this and on account of the general education in hygiene and preventive medicine, the income of the profession has been greatly diminished. The remedy would be to increase the fees, but this could not be effected without thorough organization and loyalty to each other on the part of the doctors. The New York Journal says, further, that it is the universal opinion that an agreement in regard to fees would not be respected, and that this assertion is striking proof that there is real distress in our ranks and that medicine is degenerating into a vulgar game of grab or sordid struggle for mere existence.

This shows a very distressing condition of things for the regulars; but it never seems to occur to them that the error may be with them. It is inconceivable to them that they could by any possibility be "irregular" and some other mode of healing the true or even a better one than theirs. It is not theirs to learn, but to stick dogmatically to the contention that no one can be right but them. Other people have seen their error and the falsity of their ideas of healing, but they seem incapable of appreciating a patent fact that millions of people have learned to their inestimable advantage.

Mr. President, there is still another side of this important question that should not be allowed to escape the attention of the Senate. It is this: I have already pointed out that the medical activity of the Government in all its branches is in the hands of and completely under the influence and control of one school of medicine, and every publication sent out as information coming from the National Government is now, and will continue to be under this bill, the views of one school of medicine, and that a school which has been largely discredited. When the Government becomes the publisher and distributor of information obtained by and relating to this school of medicine, it establishes a State medicine and makes it strictly sectarian. This is bound to continue just so long as one school of medicine is intrusted with the management of health matters. It may be said that this bill provides against discrimination as between different schools of medicine. But while the bureau is under the control of one school and no physician or surgeon of any other school is employed by the Government, such a provision amounts to nothing. The Government has maintained this sectarianism in medicine for over 40 years. Its health activities have been completely dominated by one sect to the exclusion of all others.

The Government has no more right to sanction or support sectarianism in medicine than in religion. One is just as much of a violation of the freedom of the citizen as the other. There are millions of people in this country who believe in the homeopathic and eclectic modes of healing, and millions more who do not believe in drug healing of any kind. But not one of these has any recognition whatever by the Government as represented by the present medical bureaus, nor will they have under this bill if it becomes a law.

By these publications the Government is simply promoting the views of one school of medicine to the exclusion of all others. And worse still, they are not a report of established or known facts, but of mere opinions opposed to the views of other equally competent schools of medicine, and generally found in the end to be erroneous. Such a publicity bureau shuts out the views, opinions, investigations, and discoveries of every other school of medicine, composed, in part, of some of the ablest men and brightest minds in the country. If we take the publications of the present health bureaus, and the people of this country were dependent upon them for their information, they would never know that a homeopathic, eclectic, or any other school of medicine or healing existed. And if the bureaus should speak on the subject, it would be to discredit any school but the one. If such publications are of any use to the public, they should be made nonsectarian and inform the people of every discovery, advance, or change in health affairs from whatever source and without bias or prejudice.

This could never be expected from present bureaus or any consolidation of them. The chief reason is that this legislation is sought by and in the interest of one school of medicine. No other school is asking for or favors it. The people do not ask for it and do not understand it.

SERUM THERAPY.

Mr. President, the old school of medicine has now taken up the idea of serum therapy, so called, or the prevention of disease by inoculation of supposed disease-preventing serums extracted from diseased animals. In the case of smallpox we have had this alleged preventive for many years. The efficacy of vaccination has never been proved. It has from the beginning been stoutly denied, and ample proof has been given that it is not a preventive, notwithstanding the National Government, and State, county, and city authorities compel the people, including young children, to submit to the poisoning of their blood by this loathsome treatment. The National Government forces it upon its soldiers and sailors by the strictest penalties. Children whose parents are opposed to it are denied school privileges, and other penalties are imposed to compel submission to vaccination, whether the people want it or not. It is almost beyond belief that any enlightened Government would thus trespass upon the liberties and personal rights of its citizens in such ways upon the mere opinion of doctors, and opinions that have never been substantiated, but have been discredited and disproved over and over again. And now the doctors say

typhoid fever can be prevented by a serum that has been discovered lately, and the Government at once accepts this opinion and forces it upon its soldiers, sailors, and employees. Then the school children will be forced to accept this new and equally dangerous system of poisoning. Like remedies are being discovered for other diseases, until everybody will have to submit to have his body inoculated with various poisons, on the theory that he will thus be made immune from every known disease. The whole thing is too absurd to talk about. It results from the fact that the doctors have learned that the old remedies will neither prevent nor heal disease, and they are losing their business and public confidence. The administration of these pretended preventive remedies is a very lucrative business, and when people are compelled to take them it is easy to get patients.

The practice of vaccination is condemned by physicians and scientists and all classes of people. The following from the late Moncure D. Conway, one of the great men of this country, illustrates what men of learning and information think about it:

A considerable number of good people are just now suffering fines and imprisonments because they will not suffer their children to be vaccinated. Their very excellencies as parents cause them to be dealt with as malefactors. Here, say, are two men: One gives uninquiring assent to what other thoughtless people assent to; he doesn't care much what happens to his child, delegates to usage the duty of thinking for it, gives it up to be baptised, catechised, vaccinated, flogged at school—to anything that is usual, whether right or not. The other man gives no uninquiring assent; he studies carefully that his family may be nourished with truth and maintained by such laws of health as he can discover. Now, of these two the careless parent is favored by the vaccination law, while the thoughtful, anxious, and devoted parent is punished unless he adopt a prescribed opinion. A law which thus favors parental indifference and discourages careful thought and conscientious devotion to the child's welfare reverses the spirit of all just laws. Of course it is equally probable that the thinking parent may be able to agree with the majority; but he may not, and in this case he suffers for his inquiry, while the other escapes—no man being so safe from the results of thought, erroneous or right, as he who never thinks at all.

Vaccination has been seriously challenged by men of learning. The misgivings concerning it have not arisen from ignorance and prejudice, but from men of science and medical men. These arguments have been sufficiently strong to shake the convictions of eminent thinkers and political leaders—such as Herbert Spencer, Prof. F. W. Newman, Dr. Garth Wilkinson, William Ewart Gladstone, W. E. Forster, John Bright—in the justice of the law, and of some of them in vaccination itself. The arguments which have influenced such men—leaders of large numbers of people—can not be met justly except by fact and argument. To answer by mere force is tyranny. The reasoning objectors have been answered only by fine and imprisonment, which are as genuinely persecutions as if inflicted for the nonbaptism of children, on the ground that such children may become foci of heretical infection. To those who dissent from it vaccination is merely a medical dogma. To coerce parents into its practice rests upon that assumption of medical infallibility which has again and again been proved false, as in the instance of inoculation, once generally practiced, now penal; as in the example of bleeding, that barbarous practice to which Washington and Cavour fell victims while opening new vistas of civilization. Even were physicians unanimous in their faith in vaccination, they could not claim infallibility after having so often erred, while, as a matter of fact, there is less unanimity in that profession about vaccination than there was at one time in favor of the now discredited inoculation.

And this is the way the Government punishes its citizens for presuming to deny the right of its officers to poison their blood by this process:

[From the St. Louis Post-Dispatch.]

MEDICAL TYRANNY IN NAVY.

Resistance to the advice and instructions of medical officers in the Army or Navy is construed as insubordination as serious as resistance to the orders of other commissioned officers. Because they refused to submit themselves to the new antityphoid inoculation, a number of the crew of the battleship *Vermont*, in Cuban waters, are being punished as virtual mutineers.

There was a time when disobedience to the orders of a chaplain involved as grave consequences to members of the organized military forces. Army and Navy policies which make mutineers of faithful men with intelligence and individuality enough to object to the introduction of noisome, poisonous substances into healthy bodies can not command popular approval.

If vaccinations for various diseases were prescribed a condition at the time of enlistment, the men would have the option of consenting to it or declining to enter the service. To impose after enlistment vaccination on men in violation of their will and judgment is a misuse of military authority. It can not be justified on the ground of necessity in the absence of an epidemic. So far as typhoid is concerned, it can be combated in entirely unobjectionable ways through sanitation. This is a subject with which Congress should deal.

When one comes to consider this subject, the evidences against its compulsory imposition are so numerous that one can select but few of them for use in an address of this kind. No one can truthfully deny that thousands of lives, many of them of little children, have been sacrificed to this vile practice. But, again, the people do not or will not think for themselves. To them the opinion of some doctor who knows no more than they do about it is sufficient and they go no further. Those who do think for themselves and refuse to submit to the treatment for their children must lose their right to send them to the public schools. If the doctors agreed about it, it would not be so bad. But they do not. Many of the ablest doctors of all times since it came into use have denied that it is of any value and assert

that it is a most dangerous remedy. In an appeal to the people of Pennsylvania by certain inhabitants of Bangor, Northampton County, they say:

The inhabitants of Bangor, Northampton County, in public meeting assembled, on Friday evening, March 29, 1907, issue this appeal to the people of Pennsylvania to join with them in restoring the principles of civil liberty in this Commonwealth, which have been outraged by the enforcement of the compulsory vaccination laws.

On November 5 last, one of the brightest and best of children, Herschel, the 8-year-old son of Frank N. Love, a respected citizen of Bangor, was vaccinated in order to obtain admission to school, as required by the 12th section of the act of June 18, 1895. Within 17 days he was dead, after suffering what no tongue can tell. The poison was put into his little body, but the doctors could not get it out.

The father and mother of this victim of State-enforced blood poisoning have one remaining child, a little girl, who is now of school age. But a cruel law, which still remains unrepealed upon the statute books of this State, denies to this child the right of education guaranteed by our Constitution, unless her already grief-stricken parents again make a sacrifice to the Moloch of vaccination.

The tendency of vaccination to spread smallpox and its worthlessness as a preventive have been illustrated in our own State where the disease has been most prevalent and fatal in those localities where vaccination has been general. In Philadelphia during the 10 years immediately preceding the enforcement of the vaccination school law, from 1885 to 1894, there were 113 deaths from smallpox, while during the four years from 1901 to 1904, when the law was being strictly enforced, there died in the Municipal Hospital of smallpox 760 persons. It is estimated that the vaccinations performed during that outbreak were about 500,000 in number. In Marietta, where vaccine is manufactured from the virus of smallpox, there were more than 50 cases in 1905. But in Erie, where it has been found impossible to enforce vaccination, there has been only one death from smallpox in 25 years, and in Waynesboro, where the entire population is opposed to vaccination, there has not been a case of smallpox since the Civil War, nor a death from that disease for 64 years.

The spread of smallpox is, however, one of the least of the evils chargeable against vaccination, for physicians who have independently investigated the subject tell us that the words of Scripture, that "The life of all flesh is the blood thereof," are literally true, and that the corruption of the blood defiles the fountain of life, making disease necessary to purify the system and prevent degeneration. Vaccination stands indicted by the common sense of mankind, the teachings of religion, and the voices of the world's greatest scientists and sanitarians, including Alexander von Humboldt, Florence Nightingale, John Pickering, Sir William J. Collins, Herbert Spencer, Alfred Russel Wallace, Alexander Milton Ross, Montague R. Levenson, Charles Creighton, Edgar M. Crookshank, and many others of like eminence. It has poisoned the blood of countless multitudes and placed upon its victims the stamp of consumption, syphilis, cancer, and many other terrible diseases.

If the functions of government were strictly limited to the exercise of its just powers, grounded in nature, and derived from the consent of the governed, and if all arbitrary authority were abolished, there would be no compulsory vaccination laws, and the history of Pennsylvania during the last two years would not have been sullied by the slaughter of Dale Iams, of Washington County; Lottie Bentzel, of Cumberland County; George Baker, of York County; John L. Hilt, of Lancaster County; Beatrice Bausonville, of Pittsburgh, and many other little innocents by State-enforced blood poisoning.

The attitude of certain political doctors who are members of the legislature in presuming to dictate to more than 6,000,000 people in this Commonwealth concerning their own flesh and blood, encouraged as it has been by the attempt of health officials to use the power and patronage of their offices to influence the course of legislation, we denounce as being opposed to the spirit of our institutions.

When a few political doctors, animated by the selfish and infamous desire of a clique in the medical profession to increase its profits by diseasing the entire population of this State, can block the remedial legislation demanded by an overwhelming majority of the people an issue is raised which must be carried to every hamlet and fireside. Shall a politico-medical oligarchy, supported by the public revenues, be permitted to compel any person to submit to a surgical operation, or shall the free institutions guaranteed by the Constitution of the United States be maintained in this Commonwealth? Shall a union of medicine and State be permitted to enslave the bodies of men, women, and children in a community in which the principles of religious liberty and toleration have been upheld for two centuries and more?

Mr. J. P. McLean has this to say in the Dayton (Ohio) News of October 26, 1910:

AGAINST VACCINATION.

EDITOR DAILY NEWS: I will avail myself of the opportunity of contributing an article on "Vaccination" for the reason that I believe that this cult is the greatest crime against nature ever recognized, and is far worse than war, famine, and pestilence. One article will not permit me to go into details, nor treat the subject as I would desire. The fact that antivaccination societies are numerous in Great Britain, America, and Canada and other countries, indicates that there is a widespread dissent and opposition to the cult. If to this be added the names of the greatest pathologists, physicians, surgeons, naturalists, statesmen, etc., then it is well to pause and consider. I will here confine myself to some of the reasons why the ranks of the opposition are extending, though I may not follow the natural sequence.

In all probability the opposition to the cult arises principally from the fact that it is a propagator of a fatal disease. This point is easily proven from the fact "that all lymph, however pellucid, does really contain blood cells." (Unanimous opinion of the Royal Commission on Vaccinations, final report, p. 112.) If, then, vaccine matter always contains blood cells, then whatever disease the source of the supply may have, will be propagated in the victim. Dr. Alexander Wilder, the most brilliant and versatile physician America ever produced, says: "Consumption follows in the footsteps of vaccination as directly as an effect ever follows a cause. The vaccine poison being the product of decaying animal tissue, and often tuberculosis in character, must naturally produce its like wherever it finds the suitable opportunity." (See his "Fallacy of Vaccination," p. 13.) He quotes from Prof. Bartlett, of the medicine department of the University of New York, who stated that "in 208 children who had been vaccinated, 38 died of tubercular con-

sumption and 170 of other maladies. In 95 who were not vaccinated 30 only died of consumption and 63 of other diseases."

The Medical Times and Gazette, London, for January 1, 1854, called attention to the fact that consumption had widely spread since the introduction of vaccination. That during the 10 preceding years it had slain 68,204 in the metropolis alone. The report of the registrar general for 1869 gave the number of deaths at 53,794 from the cause alone. Dr. Wilder is supported by such men as St. Gervais, Hufeland, Hertwig, Grisolle, Constadt, Bedaur, who also enumerated about 30 more diseases.

Dr. Jasuco Copland (Dictionary of Medicine, vol. 3, pp. 140, 141) says: "Notwithstanding the laudation bestowed upon vaccination, I believe that as the lapse of time allows the fact to be more fully demonstrated it will be found to be a not unfruitful source of scrofula and tubercles." Even Dr. Felix von Niemeyer says that vaccination in children may leave behind it the germs of a disposition to consumption (p. 22). He further adds: "I must protest against unconditional compulsory vaccination, particularly during the first two years of life." I might extend this, but enough has been said.

Cancer is another rapidly increasing disease. Does any person know even of a single case of this disease in a human being who was never vaccinated? It is a frightful disease, and fatal. Several years ago Dr. Wilder wrote in that of his own knowledge he knew this disease to be bovine. Hutchinson (Illustrations of Classical Surgery, vol. 1, p. 141) has illustrated a case of lupus in and around a vaccination scar, and cases of a like nature have been described by Besnier (Annales de Dermatologie et de Syphiligraphie, vol. 10, p. 576), Lennander (Upsala Lakareforenings Forhandlingar, vol. 25, pp. 65-70); and Colcott Fox (The Practitioner, vol. 6, p. 500).

Judging by reports, lockjaw is not uncommon after vaccination. I need only refer to the statements of Dr. J. H. Cottman (New Orleans Medical and Surgical Journal, vol. 2, p. 783), Dr. George Ross (The Southern Clinic, vol. 1, p. 468), Dr. Theodore Dimon (St. Louis Courier of Medicine, vol. 7, p. 310), Dr. H. J. Berkeley (Maryland Medical Journal, vol. 6, p. 241), Dr. W. T. Bates (Transactions of the South Carolina Medical Association, vol. 32, p. 105), etc.

Without multiplying the list of diseases with accompanying references, I will conclude this portion of the article by stating that the celebrated physician, J. J. G. Wilkinson, gives a list of 56 different diseases caused by vaccination. Dr. Alfred R. Wallace, the most eminent of living naturalists, estimates that vaccination is the annual cause of 10,000 inocular diseases in Great Britain. I presume the Dayton library has his "Wonderful Century." If so, then read what he says on the vaccination delusion.

Perhaps it may be well at this point to call attention to Circular 147, issued June 16, 1909, by the Department of Agriculture, which relates to the outbreak of the foot-and-mouth disease in cattle in Pennsylvania, Maryland, and Michigan during November, 1908. The origin of the disease was traced to 21 heifers which had been previously used for the production of vaccine virus.

It is believed that vaccination produces the soil for the propagation of smallpox. As vaccination is a septic poison, it would not be difficult to maintain this position.

Turning to the Britannica, ninth edition, volume 24, page 29, we read that Prussia was the best vaccinated country in Europe in 1871, yet, during the epidemic of that year its mortality was higher (69,839) than any other northern State; that the Bavarian contingent, which was revaccinated without exception, had five times the death rate from smallpox than that of the Bavarian civil population; that in Bavaria in 1871, of 30,742 cases of smallpox, 29,429 with 3,994 deaths had been vaccinated; that at Bromley in 1881 there was a total of 43 cases, including 16 confluent, all vaccinated; that at Cologne in 1870 the first unvaccinated person attacked by smallpox was the one hundred and seventy-fourth in order of time; at Bonn the same year the forty-second; and at Liegnitz in 1871 the two hundred and twenty-fifth. Take the recent cases in the United States Navy, where all are revaccinated, when the armored cruiser *Washington* was three days out (Jan. 22, 1910) from Yokohama, smallpox broke out and for three days treated as chickenpox. The vessel reached Honolulu on the 28th with three cases, one of which proved fatal. Here the ship was fumigated. The vessel left February 3, and by the 6th three cases developed, and on the 14th arrived at Port Townsend with five cases, where the patients were taken ashore, three of whom died. The vessel was held in quarantine until the 22d. The vessel arrived at San Francisco on March 4, reporting nine cases with four deaths.

By the advocates of the cult, Germany is pointed to with pride from being free from smallpox on account of her rigid laws for vaccination. Let us see. During the week ending July 9, 1910, in the British Parliament, a question was asked concerning a recent report of smallpox in Germany. The Right Hon. Sir John Burns, president of the local Government board, replied that in Prussia 690 cases, with 107 deaths, had been notified.

With the imperfect record above set forth there is sufficient evidence for us to believe with Lord Clifton that vaccination is "legal child murder," or with others who declare it to be a "ghastly delusion."

FRANKLIN, OHIO, October 26, 1910.

Mr. President, the facts and conditions are so clearly stated in this article and others that I have cited, that but little need be said by me. The sentiment against enforced vaccination is growing in volume and strength every day. It is supported only by fear and confidence in medical opinions on the subject, opinions actuated in the main by self-interest. Of course, there are many honest and conscientious people who believe in vaccination, and they are easily convinced of the preventive effects of other serum remedies. I venture to say, however, that there are very few competent doctors who believe in any of these remedies.

But, Mr. President, their inefficacy is not the worst of it. If this were all, they would at least be harmless; but it has been proved over and over again that they are worse than harmless—they are dangerous to health and life. Thousands of lives have been lost by the most violent and loathsome diseases by the use of these remedies. That is clearly shown by the communications I have just read. And the doctors are not only doubtful of the new serum remedies that are coming into use, but they are fearful of their effects in causing and transferring other and new diseases. They already have a new dis-

ease, called the "serum disease." The Hartford Times, as far back as 1908, had this to say on the subject, most of the facts being taken from the Inter-State Medical Journal:

DOCTORS ARE WORRIED OVER SERUM DISEASES—INJURIOUS SYMPTOMS FOUND TO FOLLOW INJECTIONS OF ANTITOXINS IN SOME CASES.

Physicians are discussing an ailment to which the name "serum disease" is now applied. The name is used to describe various groups of symptoms occurring after hypodermic injections of sera used to combat several acute diseases. The phenomena arising from the administration of normal, antitoxic or bactericidal serum at first were supposed to be harmless, but this has been disproved.

"Although manifest symptoms do not occur in more than one-third of all cases," says Dr. E. W. Saunders, of St. Louis, in the current issue of the Inter-State Medical Journal, "the cellular reaction to the alien serum is probably present in every individual who receives an injection, and the phenomena may be observed to a greater or less degree if the proper tests are made."

Dr. Saunders offers some practical rules in regard to the use of the various sera for the consideration of his fellow practitioners. He says: "Curative sera are not the harmless substances we originally supposed. Immunizing injections of serum should not be employed when isolation will prevent the disease with a reasonable degree of certainty and the children can be watched.

"Serum should not be used in asthmatics or those suffering from Grave's disease, or the lymphatic constitution, except in developed diphtheria. The use of bactericidal sera of doubtful value should not be encouraged without careful consideration of all the possible bad effects.

"If a second dose of serum must be given during the few weeks following a primary injection, small repeated doses are preferable to a large single dose.

"On the other hand, one large initial dose is probably less harmful and far more effective than several doses given over several days.

"THE SYMPTOMS.

"In some of the cases injected, varying from 10 to 40 per cent, after a period of 5 to 20 days, the patient becomes restless, and may complain of lassitude and pain in the limbs. This is soon followed by the serum exanthem, which is often accompanied by a severe itching and burning. The serum rash varies in character. Most often erythematous patches, rose red in color, will be found covering various parts of the body. Sometimes the eruption is distinctly scarlatiniform. Occasionally it resembles measles.

"A very striking symptom is edema of the skin, which may be present only in certain circumscribed spots or more rarely involve the whole integument, giving the person a ghastly, bloated appearance. A very serious form is the hemorrhagic type, in which hemorrhages occur in the skin. Fortunately this is rare.

"Joint pains are frequently observed. One or more of the joints may become very tender to touch and to movement. Muscular pains are very common. Articular swelling may be present. The wrists, knees, hips, elbows, ankles, and shoulder are most frequently implicated.

"That the disease is a general disturbance is proved by the fact that an elevation of temperature is frequently present. The fever may be very high. Vomiting and diarrhea occur in a small portion of cases.

"In 1899, after repeated injections of diphtheria antitoxin in the babies of the Bethesda Foundlings' Home, I had the opportunity to observe in several cases the sensitizing effect of a previous injection.

"We found that many of the infants who had received an immunizing dose six weeks previously showed a very marked supersensibility to the second injection. The symptoms of serum disease, which are usually delayed a week or more, came on within a few minutes and with much greater violence. I reported these observations in the St. Louis Courier of Medicine in 1899. Although the explanation given then does not entirely harmonize with the present debated theories, the occurrence of a supersensibility and the clinical symptoms were clearly depicted.

"CONDITIONS OFTEN PROTRACTED.

"The condition is sometimes remarkably protracted. Thus, in one instance, in a little girl who received an injection of antidiphtheritic serum four years previously, another injection of the so-called globulin antitoxin produced violent symptoms in a few hours. Rosenan and Anderson found the condition persisting for several months. It is possible that this supersensitiveness may remain throughout life in certain individuals, and that it may be transmitted to offspring, as is the case in guinea pigs.

"The symptoms of this second reaction are very similar to those of the primary disease but supervene very soon after the second injection, sometimes within a few minutes. There may be a chill, convulsions, and sudden high fever. The respiration becomes very rapid, the pulse accelerated, and the patient shows great anxiety. In some cases a severe dermatitis, with local pain around the site of the injection, appears. Bolton reported a case of local gangrene.

"As far as I can learn no cases of death have occurred in human beings by the repeated injections of horse serum, yet the severe symptoms which sometimes occur and the fact that gangrene and death are so frequent in animals, convinces the clinician that antitoxic horse serum is by no means a remedy which can be used carelessly or indiscriminately.

"Another form of supersensitiveness occurs in certain individuals who have not had a previous injection of antitoxin. Quite a number of cases have been reported, and I have seen a number myself in which the immediate serum reaction occurred, and yet the patient injected had never before had a dose of horse serum. No explanation can be offered for these cases at present except that of idiosyncrasy.

"All efforts to rid the curative sera of the toxic substance which sensitizes have proved futile. Meule's observation that fresh sera have a greater tendency to cause rashes than older sera has been refuted experimentally by Rosenan. So far all theories offered to explain this condition have met all the known facts."

The mistakes the doctors make in diagnosing cases of supposed smallpox and other diseases would be ludicrous if they were not so serious in their consequences. Pasadena, Cal., had a conspicuous case of this kind. Dr. Stanley P. Black, health officer of that city, was called to pass upon the case of two children, pronounced their case smallpox, placarded the house, established a quarantine, and ordered over 300 children, who had not been successfully vaccinated, excluded from the schools. The indignant parents of the excluded children demanded that some other physician be called in to determine whether the

sick children really had the smallpox. But the health officer, characteristic of his kind, refused to allow another doctor to see them. An indignation meeting of citizens was called and the doctor forced to allow another doctor to be called. The result was that the children were found to be suffering from poison oak. Then the health officer did the only sensible thing he had done in the whole transaction. He resigned.

I could go on quoting from opinions of doctors and scientists almost without number showing how useless vaccination is and the lives that have been sacrificed by the use of vaccine matter, but it would serve no useful purpose. The people will not think for themselves. They rely upon the doctors and vaccination is a rich source of revenue to them. They know no more about its effects than do other people, but the "faith in the doctor and his drugs and his remedies," according to Dr. Osler, is quite enough.

But there is one other thing to which I call the attention of the Senate. In the Public Health Reports of the Public Health and Marine-Hospital Service, June 23, 1911, Asst. Surg. Gen. John W. Trask has this to say on the subject of the probable or possible effects of vaccination:

"That the community is protected by vaccination may be true for certain localities, but that the protection thus afforded is general can hardly be maintained. Japan as a nation is probably as well or better protected by vaccination than is the United States, and yet in 1907-8 there was an outbreak of smallpox in Japan in which 19,101 cases were reported with 6,273 deaths. Vaccination did not there modify the type of the disease to that found in America. In that outbreak among 5,215 smallpox patients 1,527 were found who had never been vaccinated. This is interesting, as indicating a relatively small number of unvaccinated individuals. The epidemic was apparently one of considerable virulence, the general death rate per hundred being 42.25 among the cases in 1907 and 32.32 among those in 1908, while the deaths among the unvaccinated were 69.4 per hundred cases. Kitasato believes that the virulence of the disease varies, and that when it reaches the high point attained in Japan during 1907-8 individuals who have been previously vaccinated, and even those who have previously had an attack, contract the disease. In this outbreak there were 242 cases in seven prefectures in which the patients had previously had the disease. Of these, 57 died.

If the nonvirulence of the disease in this country is due to protection by vaccination it would be expected that the mild cases would be found only in those so protected. This may be assumed from the limited information available not to be the case. Records of the vaccination history of all patients would undoubtedly add much to our knowledge of the subject.

That the type of the disease as seen in the United States is due to the protective value of vaccination is shown not to be true for certain localities in which outbreaks of the virulent form of the disease have been reported. These outbreaks have occurred at widely separated points, extending from Virginia and South Carolina in 1909 to Michigan, Oklahoma, Texas, and Oregon in 1910. The cases of the disease reported in New York City in 1910 also had a high percentage of deaths. These outbreaks showed a high virulence, the deaths being at the rate of from 16.13 at Cleveland, Ohio, to 54.05 in Oklahoma County, Okla., per hundred cases.

This comes from an official medical source. It shows two things: (1) That the doctors do not know whether vaccination prevents smallpox or not, and (2) that experience tends to prove that it does not. This was a hard blow to the vaccination doctors.

But, Mr. President, although this report was printed less than a year ago, a copy of it, containing this statement, can not be had to-day. I understand that it has been reprinted with this portion of it suppressed. I suppose Dr. Trask was duly reprimanded for telling the truth in his report. I venture the assertion that he was not a member of the American Medical Association or he never would have fallen into the error of discrediting a practice that brings so much money to the profession. With all the claims made for vaccination, with a large part of the doctors its use never could have been maintained without compulsory laws; and no such laws could ever be passed without the aid of the doctors, and that aid would not be given if it were not such an economic source of revenue to the doctors. The law that compels its use is one of the worst laws that good citizens who believe in liberty have cause to complain of.

Mr. John Pitcairn has this to say on the subject in the Ladies' Home Journal for May, 1910:

Vaccination is the putting of an impure thing into the blood—a virus or poison—often resulting in serious evil effects. In vogue for more than 100 years, it has been received by most persons without question. But the time is passing when people will accept a medical dogma on blind faith; they now demand to know something about the practices to which they are called on to submit; and most insistent of all should be the demand to know something of a practice which, like vaccination, involves the risk of disease and of possible death.

But I need hardly appeal to statistics, which might be gathered from every civilized country. Consult any mother having practical acquaintance with the results of vaccination, as observed by herself, and you will rarely fail to hear something of its serious and lasting ill-effects.

Surely these facts and figures are enough to show that vaccination involves serious risks, and to make it incumbent upon all, and especially on parents, to make some inquiry at least before they submit either themselves or their children to these risks.

But some one may ask, if all this is true, why does vaccination continue? It continues, very largely, because it is enforced by law. Take

away legal compulsion and vaccination would not long survive. But it has been enforced almost from its birth and has thus come to be regarded as more or less a matter of course. In all modern history no other medical operation has ever been legally enforced. But vaccination needed enforcement. Without compulsion it could never have survived, for from the very day of its introduction it has been strenuously opposed both by laymen and by members of the medical profession. Eminent physicians, it is true, have supported it, but equally eminent physicians, and also renowned bacteriologists and statisticians, have condemned it as productive of the gravest injuries.

With respect to the danger and uncertainty, generally, of these serum remedies the Journal of the American Medical Association of January, 1910, has this to say:

SERUM THERAPY IN A CONDITION OF CHAOS.

There is no class of remedial agents on which the physician should be better informed and none, unfortunately, concerning which it is so difficult to obtain a scientific and unbiased opinion. Only one of the drugs of this class—diphtheria antitoxin—is recognized by the present United States Pharmacopœia; and although some of the others (vaccine virus, for instance) have been in use for some time, all are the subject of such active investigation at the present time and so many new facts concerning them are being discovered that it is extremely difficult for a practitioner to keep abreast of these developments.

Scientific and disinterested information concerning them is widely scattered and often not easily accessible. The result has been that physicians have become dependent to an unusual degree on the circulars issued by manufacturing houses. Some of these circulars are almost models of scientific accuracy; others, unfortunately, are far from accurate and the directions given for the use of the products are not even safe.

And yet the National Government with all of its power is forcing their use upon its unwilling citizens.

Mr. President, I have now talked for something over two hours and a half. As it will probably take some little time to conclude what I have to say, most of it being a legal discussion, I shall be glad if the Senate will indulge me by adjourning, to allow me to complete what I have to say to-morrow after the conclusion of the morning business.

Mr. GALLINGER. Just let the Senator give notice that he will resume the floor at the conclusion of the morning business to-morrow.

Mr. WORKS. Very well. I give notice, Mr. President, that to-morrow, immediately after the routine morning business, I will conclude what I have to say.

COMMITTEE ON NATIONAL BANKS.

Mr. NELSON. I should like to call up House bill 22043.

Mr. GALLINGER. Before the Senator proceeds with that bill, to the consideration of which I will not object, I have two resolutions somewhat in the nature of privileged resolutions, which I ask to have considered. If the Senator will yield for that purpose, it will take but a moment.

Mr. NELSON. Certainly.

Mr. GALLINGER submitted the following resolution, which was read:

Resolved, That one of the standing committees of the Senate be a Committee on National Banks, to consist of five Senators.

Mr. GALLINGER. I ask for the present consideration of the resolution.

Mr. BACON. Is not this committee under the classification prescribed in the rules?

Mr. GALLINGER. It was a committee of the Senate two years ago, but was dropped last year from the list.

Mr. BACON. It is then covered by the rule.

Mr. GALLINGER. It is covered by the rule.

The resolution was considered by unanimous consent and agreed to.

Mr. GALLINGER submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That Mr. SANDERS be appointed chairman of the Committee on National Banks.

WIRELESS TELEGRAPHY ON OCEAN STEAMERS.

Mr. BOURNE, from the Committee on Commerce, to which was referred the bill (S. 3815) to amend an act entitled "An act to require apparatus and operators for radiocommunication on certain ocean steamers," approved June 24, 1910, reported it with an amendment and submitted a report (No. 680) thereon.

AIDS TO NAVIGATION.

Mr. NELSON. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 22043) to authorize additional aids to navigation in the Lighthouse Service, and for other purposes. It is a bill that came over from the House, and the Senate committee has added to it sundry amendments. It is important that the bill should be passed in order to get it into conference as soon as possible.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 22043) to authorize additional aids to navigation in the Lighthouse Service, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. NELSON. I ask that the amendments of the committee be considered as they are reached in the reading of the bill.

The PRESIDING OFFICER. Without objection, the amendments will be considered as they are reached.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Commerce was, on page 1, after line 8, to insert:

That the Secretary of Commerce and Labor be, and he is hereby, authorized to construct and equip additional light vessels for general service, at a cost not to exceed \$250,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 11, to insert:

THIRD LIGHTHOUSE DISTRICT.

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to improve the light station, move the fog signal, and build a keeper's dwelling at Great Salt Pond Light Station, R. I., at a cost not to exceed \$25,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 17, to insert:

FOURTH LIGHTHOUSE DISTRICT.

For the establishment of a permanent lighthouse and fog signal on Goose Island Flats, Delaware River, N. J., \$105,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 16, to strike out the following:

The Secretary of Commerce and Labor is authorized to station the light vessel for which appropriation was made in the act of May 27, 1908, or any other light vessel at such position in the vicinity of Frying Pan Shoals as he may determine to be most advantageous to navigation.

The amendment was agreed to.

The next amendment was, on page 3, after line 22, to insert:

That the Secretary of Commerce and Labor be, and he is hereby, authorized to purchase a site, and to construct a wharf and buildings and purchase the necessary equipment, so far as funds may permit, for a depot for the sixth lighthouse district, at a cost not to exceed \$125,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert:

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to establish aids to navigation in Atchafalaya Entrance Channel, La., at a cost not to exceed \$35,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 7, to insert:

TENTH LIGHTHOUSE DISTRICT.

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to rearrange, rebuild, and improve the aids to navigation at Ashtabula Harbor, Ohio, at a cost not to exceed \$45,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 12, to insert:

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to remove, reconstruct, and improve the fog-signal station at Cleveland, Ohio, at a cost not to exceed \$17,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 16, to insert:

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to construct a light and fog-signal station and to improve the aids to navigation at Lorain Harbor, Ohio, at a cost not to exceed \$45,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 20, to insert:

TWELFTH LIGHTHOUSE DISTRICT.

That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish a pierhead light and a lighted buoy at Oconto Harbor, Wis., at a cost not to exceed \$5,000.

The amendment was agreed to.

The next amendment was, at the top of page 7, to insert:

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to establish additional aids to navigation at Ashland, Wis., at a cost not to exceed \$25,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 16, to insert:

SIXTEENTH LIGHTHOUSE DISTRICT.

That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish a light and fog signal at or near Cape St. Elias, Alaska, at a cost not to exceed \$115,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 21, to insert:

SEVENTEENTH LIGHTHOUSE DISTRICT.

That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish aids to navigation and improve existing aids in Puget Sound, Wash., at a cost not to exceed \$45,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 2, to insert:

That the Secretary of Commerce and Labor be, and hereby is, authorized and directed to cause to be constructed a first-class full-powered light vessel and to establish and maintain the same at or near Orford Reef, off Cape Blanco, Oreg., in accordance with the report of officers of the Lighthouse Establishment, published as House Document No. 1267, Sixtieth Congress, second session, and for the construction of said vessel there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$150,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 13, to insert:

EIGHTEENTH LIGHTHOUSE DISTRICT.

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to make necessary improvements at Point Pinos Light Station, Cal., at a cost not to exceed \$30,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 18, to insert:

NINETEENTH LIGHTHOUSE DISTRICT.

That the Secretary of Commerce and Labor be, and he is hereby, authorized and directed to improve the light station at Kauhola Point, Hawaii, at a cost not to exceed \$15,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 23, to insert:

That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish aids to navigation in Pearl Harbor, Hawaii, at a cost not to exceed \$80,000.

The amendment was agreed to.

The reading of the bill was concluded.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. NELSON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 31 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 30, 1912, at 2 o'clock p. m.

HOUSE OF REPRESENTATIVES.

MONDAY, April 29, 1912.

The House met at 12 o'clock m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite and eternal Spirit, our heavenly Father, be with us to sustain and guide in every legitimate effort to better the conditions of mankind. Deliver us, we beseech Thee, from the holier than thou attitude, lest our usefulness be impaired in the social, political, and religious fields of endeavor. To minister not to be ministered to, to serve not to be served, to lend a hand where help is needed, that in all the relationships of life, private or public, we may follow the spirit of the Master. Amen.

The Journal of the proceedings of the legislative day of Friday, April 26, 1912, was read and approved.

DISTRICT OF COLUMBIA BUSINESS—POLICE AND FIREMEN'S PENSIONS.

Mr. REDFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union to further consider the bill (H. R. 20840) to provide for deficiencies in the fund for police and firemen's pensions and relief in the District of Columbia, which is the unfinished business coming over from last District day.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20840, with Mr. OLDFIELD in the chair.

Mr. REDFIELD. Mr. Chairman, this bill is the unfinished business remaining over from the last District day. It is a bill to provide sufficient means to pay the pensions to the firemen and policemen which are now authorized by law. It does not in any respect whatever alter the existing pension law. It does not affect the method by which those pensions are provided, nor does it alter the amount of those pensions in any way whatever. It simply attempts to provide money from which they shall be paid. Under a law approved May 26, 1908, it was provided that within 30 days after the passage of that act, and every two years thereafter, persons on the pension rolls in the District of Columbia for disabilities incurred while in the service of the police department or the fire department of the District of Columbia shall undergo a medical examination, and as a result of such examination the commissioners shall determine whether the pensions being paid in each case shall continue in whole or in part.

Pursuant to that law the commissioners have so determined what the pensions shall be; but there is not money enough to pay them, with the result that 91 policemen, 111 widows, 51 children, and 1 mother on the police pension roll, and 48 firemen, 35 widows, and 4 mothers on the firemen's pension roll are receiving approximately but 60 per cent of the pension which has been legally allotted to them, for the reason that no funds exist from which the pensions can be paid. Congress has heretofore repeatedly attempted to meet this deficiency. It has from one source after another provided funds for this express purpose, but all these sources of supply have been partial and incomplete. The result has been that the fund has grown

smaller, the pension demand has become larger, and the funds were last year and are this year insufficient. Last year there was a deficiency of about \$15,000. This year a deficiency in excess of \$20,000 is expected. The committee unanimously have approved this bill, which lays taxation upon the property in the District, subject to general taxation, sufficient to raise the amount necessary to meet these pensions. The amount thus to be raised by tax is estimated this year to be approximately \$25,000. If it be assumed, as the auditor of the District in the report to the committee has assumed, at \$30,000, then the net amount of the tax would be 8½ cents on \$1,000, or 85 cents per annum upon a taxpayer assessed for \$10,000. It is a trifling matter as a matter of tax. It is a very serious matter as regards these poor people, who are in need of funds which have been lawfully given to them. The placing of the tax upon the District property is without any contribution whatever from the United States. In that respect there is no change in the nature of the fund. Heretofore all of the moneys have come from the District government. Hereafter, should this bill become a law, they will likewise come from the District. There is no change in this respect whatever.

I was asked to lay before the House the question as to the legal status of this tax. When the amount has been determined by the commissioners, and when there is money in the Treasury to pay that amount, then the amount is a lawful claim; but if the amount is insufficient there exists no lawful claim on the part of these pensioners under which they can sue and recover. Consequently the obligation, so far as it exists, is one of honor. We have led these people in a lawful way to believe that they shall receive a certain amount, and it is an obligation of honor to provide that amount. The report that the committee has submitted with this bill is very complete. It gives the name of every pensioner, the amount of the pension, the cause of disability, and the history of the whole pension fund. The committee, having made a unanimous report, earnestly hope that this bill will be favorably considered by the House to-day.

Mr. MANN. Mr. Chairman, the question of the granting of civil pensions or retirement pensions is so interesting at the present time that I am going to take the time of the House for a little while to trace the history of the so-called policemen's fund and the firemen's fund in the District of Columbia. The legislation upon the subject is rather chaotic. I doubt whether anyone could tell just what the law is without a great deal of examination, and I am not sure that they can tell after the examination.

The Metropolitan police was established by an act of Congress approved August 6, 1861. Section 26 of that act provided:

That all rewards, fees, proceeds of gifts, and emoluments that may be allowed by the board of police to be paid and given for extraordinary services of any member of the police force, and all moneys arising from the sale of unclaimed goods shall constitute the "policemen's fund," of which the board of police shall be the trustee and may invest as they shall see fit. And whenever any member of the police force, in the actual discharge of his duty, shall become bodily disabled his necessary expenses, on the certificate of a competent surgeon stating the manner, cause, and condition of the injury, and approved by the board of police, during the time of his disabling as aforesaid continues, may become a charge upon the said fund. But the board of police may discontinue said allowance for any satisfactory reason. (12 Stat. L., p. 325.)

It will be noticed that in this first act, which was the beginning of the police pension fund, the fund was to consist only of rewards for extraordinary services which might be given to the policemen, and the money arising from the sale of unclaimed goods, and that the only money that was to be paid was to be paid where a member of the police force in the actual discharge of his duty became bodily disabled, and he should receive pay only during the time the actual disability continued.

That was the act of August 6, 1861. By section 9 of the act of July 10, 1862, the prior act was amended so that, among other things, it was provided that in addition to the sums of money provided by gifts and sale of unclaimed goods to go into the policemen's fund that all fines imposed by the board of police upon members of the police force by way of discipline and collectible from pay or salary should be added to the sums otherwise provided for for the policemen's fund. The amount that was to be paid was still the same as in the original act.

That act was as follows:

That the board of police, for meritorious and extraordinary services rendered by any member of the police force in the due discharge of his duty, may permit any member of the police force to retain for his own benefit any reward or present tendered him therefor; and it shall be cause of removal from the Metropolitan police force for any member thereof to receive any such reward or present without notice thereof to the Board of Metropolitan Police. Upon receiving said notice the said board may either order the said member to retain the same, or shall dispose of it for the benefit of the policemen's fund. All fines imposed by the board of police upon members of the Metropolitan police force, by way of discipline, and collectible from pay or salary, and all rewards, fees, proceeds of gifts, and emoluments that may be paid and

given for account of extraordinary services of any member of the Metropolitan police force (except when allowed to be retained by said member) shall be paid to the treasurer of the Board of Metropolitan Police, unless otherwise appropriated by the board of police. (12 Stat. L., p. 581.)

In the act of June 22, 1874, revising and consolidating the statutes relating to the District of Columbia—Revised Statutes relating to District of Columbia and post roads, page 42—the provisions in the acts of 1861 and 1862, relating to the policeman's fund, were carried in sections 359, 361, 362, 363, and 364 of the revision, as follows:

Sec. 359. Upon notice to the board of police from any member of the police force of the receipt by such member of any reward or present, the board may order the member to retain the same or shall dispose thereof for the benefit of the policeman's fund.

Sec. 361. All fines imposed by the board of police upon members of the police force, by way of discipline, and collectible from pay or salary, and all rewards, fees, proceeds of gifts, and emoluments that may be paid and give for extraordinary services of any member of the police force, except when allowed to be retained by such member, shall be paid to the treasurer of the board of police, unless otherwise appropriated by the board.

Sec. 362. The rewards, fees, proceeds of gifts, and emoluments mentioned in the preceding section and all moneys arising from the sale of unclaimed goods shall constitute the "policeman's fund."

Sec. 363. The board of police shall be the trustee of the policeman's fund, and may invest the same as they shall see fit.

Sec. 364. Whenever any member of the police force, in the actual discharge of his duty, shall become actually disabled, his necessary expenses, during the time of such disability, on the certificate of a competent surgeon stating the manner, cause, and condition of the injury and approved by the board of police, may become a charge upon the policeman's fund. But the board may discontinue such allowance for any satisfactory reason.

That was the third act upon the subject. That act remained the law until 1885, and by the act of February 25, 1885, it was provided as follows:

Provided, That hereafter the commissioners shall deduct \$1 each month from the pay of each policeman, which sum so deducted shall be added to and form a part of the present police fund, to be invested in United States or District bonds by the Treasurer of the United States, and be held by him subject to the drafts of the commissioners for expenditures made in pursuance of law, and such expenditures shall be accounted for as required by law for other expenditures of the District; and said police fund shall be used for the relief of any policeman who, by injury received or disease contracted in line of duty, or having served not less than 15 years, shall become so permanently disabled as to be discharged from service therefor; and in case of his death from such injury or disease, leaving a widow or children under 16 years, for their relief: *Provided further*, That such relief shall not exceed for any one policeman or his family the sum of \$50 per month; and a sum not exceeding \$75 may be allowed from said fund to defray the funeral expenses of any policeman dying in the service of the District.

Provided, That hereafter the commissioners shall deduct \$1 each month from the pay of each fireman, which sum so deducted shall be kept as a firemen's relief fund, and be invested in United States or District bonds and held in manner provided in this act for the police fund, and shall be used for the relief of any fireman who, by injury received or disease contracted in line of duty, or having not served less than 15 years, shall become so permanently disabled as to be discharged from service therefor; and in case of his death from such injury or disease, leaving a widow or children under 16 years of age, for their relief: *Provided further*, That such relief shall not exceed for any one fireman or his family the sum of \$50 per month; and a sum not exceeding \$75 may be allowed from said fund to defray the funeral expenses of any fireman dying in the service of the District. (23 Stat. L., 316, 317.)

It will be noticed that the first two acts only proposed to pay for bodily injuries actually incurred in line of duty while those bodily injuries continued, and should only be paid out of the fund arising from gifts or sale of unclaimed goods or fines imposed upon members of the police force, but the fund not being sufficient, by the act of 1885 there was a deduction of \$1 per month from salaries of policemen and firemen. Another act was passed June 11, 1896, again enlarging the fund by providing:

That hereafter the Commissioners of the District of Columbia are hereby authorized and directed to deposit with the Treasurer of the United States, out of receipts from fines in the police court, a sufficient amount to meet any deficiency in the police or the firemen's relief fund.

And it was provided as follows:

Provided, That hereafter the Commissioners of the District of Columbia shall deduct \$1 per month from the pay of any fireman, which sum so deducted shall be kept as a firemen's relief fund and be invested in United States or District bonds, and held in the manner provided by existing law in respect to the policemen's fund, and shall be used for the relief of any fireman who, having served not less than 12 months, shall by reason of injuries received or disease contracted in the line of actual fire duty, going to, at, or returning from a fire, or having served not less than 15 years shall become so permanently disabled as to be discharged from service therefor; and in the case of the death of such fireman from such injury or disease, leaving a widow or children under 16 years of age, for their relief: *Provided*, That no fireman shall be entitled to any of the benefits of this relief fund who may by reason of his own indiscretion bring on any injury or disease which may incapacitate him from the performance of his duties as a member of the fire department or who shall be retired for such cause or causes: *Provided further*, That such relief shall not exceed, for any one fireman or his family, the sum of \$50 per month; and a sum not exceeding \$75 may be allowed from such fund to defray the funeral expenses of any fireman dying in the service of the District. (29 Stat. L., 404, 405.)

Mr. Chairman, I am aware that this is not a very interesting subject, and yet in view of the agitation concerning a retire-

ment fund or a civil pension list it is interesting to know how these matters go if they are not carefully guarded in the original legislation. This act of 1896 again extended the persons who might receive from the pension fund, limiting it in case of firemen to those who had served not less than 12 months, but providing in addition that those who were discharged because of permanent disability after 15 years of service might receive money out of that fund, with the limitation that such relief shall not exceed to any one fireman or his family the sum of \$50 per month.

We had now up to this time provided, first, that there should go into this fund the amount received from gifts, the amount received from unclaimed goods; second, the amount of fines levied upon members of the force; then, by another act, \$1 per month of deduction from salaries; then, by another act, the deficiency could be paid out of the police court fines; and then comes the act of February 28, 1901, adding to these funds.

Sec. 4. That hereafter the Commissioners of the District of Columbia are hereby authorized and directed to deposit with the Treasurer of the United States, out of receipts from fines in the police court and receipts from dog licenses, a sufficient amount to meet any deficiency in the policemen's fund or firemen's fund: *Provided*, That the chief engineer of the fire department and the superintendent, assistant superintendent, any captain or lieutenant of police, in case of retirement as now provided by law, shall receive relief not exceeding \$100 per month; and in case of the death from injury or disease of any of the officers named in this section, if he leave a widow or children under 16 years of age, the same shall be for their relief during the period of widowhood or until such children reach the age of 16 years: *Provided*, That in no case shall the amount paid to a widow exceed \$50 per month nor shall the amount paid for a child exceed \$25 per month. (31 Stat. L., p. 820.)

This act of 1901, which added dog licenses on one side in the way of receipts added to the expenditures on the other side by providing that the chief engineer of the fire department and the superintendent, assistant superintendent, any captain or lieutenant of police, in case of retirement as now provided by law, shall receive a pension of not exceeding \$100 per month; and in case of injury or disease of any officer named in this section, if he leaves a widow or child under 16 years of age, the widow might receive \$50 per month and each child \$25 per month. This act was afterwards amended by the act of February 27, 1907, to include among those who might receive \$100 per month "inspectors" of police. And by the act of March 3, 1901, it was provided:

The provisions contained in the act of Congress approved June 11, 1896, relating to the firemen's relief fund, may, within the discretion of the Commissioners of the District of Columbia, be extended to and used for the relief of any fireman or his family, although he may not heretofore, or hereafter, have served 12 months. (31 Stat. L., p. 1020.)

When the first extension was made the fireman must have served 12 months, and somebody had a case and we passed an act providing that a fireman might receive a pension regardless of length of service. By the act of March 1, 1905, which repeated in language acts already upon the statute books, without reference to them, there was added to the beneficiaries dependent mothers. By the act of March 31, 1906, this addition of dependent mothers among the beneficiaries was made to include mothers of those who died previous to the original act taking effect.

By the act of March 9, 1908, the act of March 1, 1905, was amended by extending its provisions to cover that the chief engineer of the fire department and all other officers of such department of and above the rank of captain, and any chief engineer of the fire department and all other officers of such department of and above the rank of captain already retired and receiving a pension in pursuance of the law prior to the approval of the act of March 1, 1905. These last three acts were as follows:

Act of March 1, 1905:

Sec. 4. That hereafter the Commissioners of the District of Columbia are hereby authorized and directed to deposit with the Treasurer of the United States, out of receipts from fines in the police court and receipts from dog licenses, a sufficient amount to meet any deficiency in the policemen's fund or firemen's fund: *Provided*, That the chief engineer of the fire department and all other officers of said department of and above the rank of captain, the superintendent, assistant superintendent, any captain, or lieutenant of police, in case of retirement as now provided by law, shall receive relief not exceeding \$100 per month; and in case of the death from injury or disease of any member of the police or fire department, if he be unmarried and leave a dependent mother, who is a widow, the same shall be for her relief during the period of widowhood, or if he leave a widow, or children under 16 years of age, the same shall be for their relief during the period of widowhood, or until such children reach the age of 16 years: *Provided*, That in no case shall the amount paid to such dependent mother or widow exceed \$50 per month, nor shall the amount paid for a child exceed \$25 per month. (33 Stat. L., p. 821.)

Act of March 31, 1906:

That from and after the passage of this act the provision of the act approved March 1, 1905, entitled "An act to amend section 4 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," for the relief during widowhood of dependent mothers of unmarried deceased members of said Metropolitan police force and of unmarried deceased members of

the fire department of said District shall include such mothers of any such deceased members of said police force and of said fire department who have died from injury or disease prior to March 1, 1905. (34 Stat. L., p. 95.)

Act of March 9, 1908:

That the act of Congress approved March 1, 1905, entitled "An act to amend section 4 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,'" is hereby amended by extending its provisions in behalf of the chief engineer of the fire department, and all other officers of said department of and above the rank of captain, to any chief engineer of the fire department and all other officers of said department of and above the rank of foreman, who were retired and pensioned in pursuance of law prior to the approval of said act: *Provided*, That when retired the present chief engineer of the fire department of the District of Columbia shall receive as retired pay a sum equal to one-half of the salary allowed by law at date of retirement.

By the act of May 26, 1908, medical examinations were provided of those on the pension rolls, with authority to change the pension to be paid.

That act is as follows:

Provided further, That within 30 days after the passage of this act and every two years thereafter persons on the pension rolls in the District of Columbia, for disabilities incurred while in the service of the police department or fire department of the District of Columbia, shall undergo a medical examination; the commissioners shall determine whether the pension being paid in each case shall continue in whole or in part. (35 Stat. L., p. 296.)

By the act of March 4, 1909, some old deficiencies were ordered to be paid out of the fund.

That act is as follows:

That the amount withheld from pensioners of the police fund on account of deficiencies in said fund during the period from June 1, 1894, to May 31, 1896, is authorized to be paid, and the Commissioners of the District of Columbia are hereby authorized and directed to adjust and settle all claims for said deficiencies in the payment of allowances made by them to pensioners of said police fund. In case of death of any beneficiary under the provisions of this bill the amount due such beneficiary shall be paid to the legal representative thereof. (35 Stat. L., 1066.)

By the act of March 9, 1908, it was provided that when retired the person then chief engineer in the fire department should receive as retired pay a sum equal to one-half of the salary allowed by law at the date of retirement.

Gradually the various moneys which might go into the fund were increased and the various sources from which moneys might come were increased. Gradually the beneficiaries were increased, with no provision in the law anywhere as to the amount which should be paid to any beneficiary except the limitation originally made that any person should not be paid over \$50 per month, afterwards raised to \$100 a month for the officers. Every time a new step was taken a subsequent act was passed extending all of its benefits to anyone who would have been subject to it if that law had been passed in the first instance.

It is no wonder that the fund is now short. It is true that by the act of May 26, 1908, it was provided that the District every two years might have a medical examination made of those who were upon the pension rolls and might change the amount of pension or strike the pensions off altogether. Whether that has been done in many cases I can not say. I think many of the Members are familiar with the case of Sidney Bieber, who served a short time in the fire department and was retired on a pension of \$90 per month, and his name was afterwards stricken from the roll. The original purpose to provide a pension fund out of which should be paid those who were actually disabled in the service, to be raised by contribution which came from the members of the force itself, has disappeared, and there is now devoted to the purpose of paying pensions all gifts, proceeds of sales of unclaimed property, all fines levied upon the members of the force, all the police-court fines, and all the dog licenses collected.

And now comes the proposition which, without in any way determining the amount which shall be paid to the policeman or the fireman—and the amount which is paid is in many cases excessive—proposes to provide that all the money that is necessary shall be raised by taxation, with no limitation on the amount which may be paid.

The police-pension fund now has upon its rolls 90 retired policemen, 112 widows, 1 mother, and 51 children, or had at the time the report on this bill was made, with a total monthly pay roll of \$7,538. Of this large number, 4 have been retired for age, 4 have been retired because injured in line of duty, 2 have been retired because injured in action, 1 has been retired for rupture from injury—where I can not say. One has been retired permanently on account of typhoid fever. The other causes for retirement are the ordinary causes which would occur to men whether in the police department or the fire department or in the clerical service of the Government not connected in any way whatever with disability incurred in the service by reason of the service. Anyone in the police or fire departments to-day, after 15 years of service, is subject to be retired by the commissioners for any cause which they choose

to say constitutes permanent disability. And there are many persons upon the retired list in this city, in both branches of the service, fully capable and competent of rendering service in those departments, and still more capable and competent of rendering service in ordinary civil life where the work may not be so strenuous at times as it is in the police and fire departments.

There was no control by legislation or law in regard to the amount which may be paid except the limitation on ordinary police and firemen of not to exceed \$50 a month and of the officers not to exceed \$100 per month.

Now, a proposition without in any way grading those who are to be retired or pensioned, without in any way determining that the cause of retirement shall be connected with the service which they have rendered, is made to raise a sufficient fund out of taxation, with no restriction as to paying all the money which may be necessary to pay for the retirement of anyone whom the commissioners may choose to retire hereafter. A man may not have been in the service two days, and yet he may be placed on the retired list for life. He may not have served more than 15 years and he may be retired, regardless of the cause of disability.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MANN. Yes.

Mr. LONGWORTH. I would like to know if the gentleman is aware of any precedents in States for this kind of legislation? That is to say, a general tax on all the property of the State or city to pay for police or firemen's pensions?

Mr. MANN. I am not aware—I do not know whether that exists or not.

Mr. LONGWORTH. I do not find anything in the report about it. I think it would be interesting to know whether there are any precedents for this legislation.

Mr. REDFIELD. I can not hear what the gentleman says.

Mr. LONGWORTH. I was inquiring of the gentleman from Illinois whether he knows of any direct precedents for this legislation.

Mr. REDFIELD. Will the gentleman from Illinois [Mr. MANN] yield so that I may answer the gentleman from Ohio?

Mr. MANN. I will.

Mr. REDFIELD. If the gentleman will refer to the act approved March 4, 1909, he will find the following:

That the amount withheld from pensioners of the police fund on account of deficiencies in said fund during the period from June 1, 1894, to May 31, 1896, is authorized to be paid, and the Commissioners of the District of Columbia are hereby authorized and directed to adjust and settle all claims for said deficiencies in the payment of allowances made by them to pensioners of the said police fund.

Mr. LONGWORTH. I beg the gentleman's pardon; that was not the question I asked.

Mr. MANN. If the gentleman will permit, that act of 1909, to which the gentleman from New York [Mr. REDFIELD] has referred, and a copy of which I hold in my hand, did not make any appropriation for the payment of these deficiencies. It only authorized the commissioners, where the full amount which they had awarded to the pensioners had not been paid to them from June 1, 1894, to May 31, 1896, to pay those deficiencies, and the only way they could pay them would be to pay them out of these funds.

It was a grab act which somebody managed to get through Congress to pay sale claims, arising between 1894 and 1896, out of these funds. It is one of the reasons why the funds were depleted. If a person had died it was to be paid to his legal representatives.

Mr. LONGWORTH. If the gentleman from Illinois will pardon me, the question I asked was whether there were precedents in States for this legislation. That is to say, whether there is a general tax upon the grand duplicate of a county or city to pay policemen's or firemen's pensions.

Mr. REDFIELD. There are precedents.

Mr. LONGWORTH. Can the gentleman state them?

Mr. REDFIELD. I can not fully; but they appear to a greater or less extent in the report of the hearing on H. R. 22322, House Committee on the District of Columbia, Sixtieth Congress, second session, 1910, which gives the precedents of 20 leading American cities in handling those funds.

Mr. LONGWORTH. I did not know of any where there is a general tax levied on the property of all the city or county.

Mr. MANN. The gentleman does not mean a general tax, but he means a special tax?

Mr. LONGWORTH. Yes; I mean a special tax on all the property.

Mr. MANN. I am inclined to think that this is a departure, but I do not wish to take issue with the gentleman from New York [Mr. REDFIELD] on the proposition as to whether if the money is to be paid it shall be paid out of a special tax levied or a general tax levied in the District of Columbia. To me it is

six of one and half a dozen of the other, except if a special tax is levied it brings home to the taxpayers of the District the fact that they are paying a special tax for pension funds to policemen and firemen on the retired list, and it is possible, though not probable, that that will affect somewhat in the future the extension of the beneficiaries, because it is not to be assumed that after these many acts, 12 or 13 in number, affecting policemen's and firemen's funds, each of which has extended those instruments which are to be taxed to raise the funds, and has extended the beneficiaries who are to receive it—it is not to be expected, when we provide ad libitum the money to pay for them, that the number of beneficiaries will not hereafter be enlarged.

Mr. LOBECK. I wish to state, if I may, that in the city of Omaha out of the general appropriation made for the policemen's fund the unexpended balance of what is not used for policemen's services is put into the pension fund under the law. Also in the teachers' pension fund the school board has the right to levy on the assessed property a mill tax to make up their pensions. So that we have a precedent in my city at least.

Mr. MANN. Mr. Chairman, I have not called the attention of the House to the legislation on this subject with any idea that a bill which proposes to raise money to pay these beneficiaries will not pass, but for the purpose of calling the attention of Members of the House to the growth of these pension propositions.

We have had for years before us a school-teachers' pension bill which on its face, as I have at various times stated to the House, does not purport to raise money enough to pay the pensions, but they have come in with those bills declaring that they have made ample provision for the raising of the money, hoping to get Congress, in the case of the school-teachers' fund and other funds, in the same position that it is in concerning the policemen's and firemen's funds. They say to us, "You authorized that these beneficiaries should be granted this money under the law. Now it is your business to raise the money to pay them." You gave the commissioners authority to put those people on the pension rolls, and it is your duty, having done that, to provide the money," although when we did so by law we did it with the express provision that those beneficiaries should only be paid out of the funds that we thereby provided, and it was the duty, and it is the duty of the commissioners in making up their pension rolls, to provide only pensions enough to absorb the money that is raised. They have no right, legal or moral, and have had no right in the past, knowing the funds that they had, to go ahead and provide payments much in excess of the fund which had been raised; in other words, to allow people large pensions when they knew that the moneys we had provided for were not sufficient to pay the pensions. And they knew that, knowing human nature, knowing legislators, knowing that they have played a confidence game on Congress; and then they come to us, after we have said that out of certain moneys you can pay certain funds, and say, "You have authorized the payments out of this fund. Now you must provide the additional money with which to pay them."

It is a fraud upon the legislative body. The school-teachers' pension bill, which has been pending, is a pure confidence game on Congress. There is nobody familiar with it but knows that they can not pay the pensions provided for in that bill out of the funds which are set apart for that purpose. But when the pension roll is made up they say, "You promised to pay the pensions. Now you must furnish the wherewith."

The same is true of all these civil pension retirement funds that have been proposed. We have had bills reported in the House in the past providing for retirement funds or civil pensions, and in no one of them is there enough money provided to pay pensions for the retirements which are allowed.

I am not opposed myself, Mr. Chairman, to the creation of a civil pension list. I believe it is inevitable that a civil pension list will come. I believe it is not only inevitable, but that it may be quite proper to pay pensions to those who are injured in the service, or who through long years of service have reached an age or a physical condition where they are unable to continue in the service. But when we pass bills providing for pension lists we ought to figure on what they will cost, and we ought to know where the funds are coming from with which to pay them.

Here is this policemen's fund, which has had added to it sources of revenue of different kinds five or six times. Originally they said, "Oh, all we want to do is to take the rewards that are voluntarily given to us and divide them among those of us who are disabled." Then they added to that, "Well, if we are fined as a matter of discipline, we would like to put that money into the fund," and that was allowed. Then they said, "We are

active in obtaining fines in the police court. We ought to have the police-court fines to go into that fund," and we allowed it. Then they said, "We chase the dogs and see that they have licenses. We ought to have the dog licenses to go into that fund," and we allowed it. Every time we allowed one of those additions to the fund they added to the beneficiaries of the fund and in most instances increased the amount, all the time knowing the funds were not sufficient, as provided by any of the legislation, to meet the expense, although we were told when the bills passed that no more money could be paid out than we had provided to be paid in. Now we propose to put a blanket over the whole thing and let them pay all they want to, practically regardless of term of service, because it is the District of Columbia. I do not know whether we will ever do that with all of the employees of the Government whom we pay out of the general fund of the Treasury, but at least it has not been done yet. We are very free to put a blanket mortgage in the way of a special tax on the property of the District of Columbia only to take care of the beneficiaries without any regard whatever to those who pay the taxes.

Mr. BUCHANAN and Mr. SLAYDEN rose.

Mr. BUCHANAN. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois yield to his colleague from Illinois?

Mr. SLAYDEN. Mr. Chairman, if the gentleman will yield to me—

Mr. MANN. I yield to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, I wanted to ask the gentleman whether these special taxes on real estate in the District of Columbia and other sources of revenue—

Mr. BUCHANAN. Mr. Chairman, I rise to a point of order. I understand that the rule of the House requires that gentlemen who desire to interrupt shall address the Chair.

Mr. MANN. The gentleman from Texas did address the Chair, and I gave him leave.

Mr. SLAYDEN. Mr. Chairman, in 15 years of service in this House—

Mr. BUCHANAN. The gentleman from Texas was not recognized by the Chair and I was.

Mr. MANN. He did not have to be. I gave him leave myself.

Mr. SLAYDEN. In reply to the criticism of the gentleman from Illinois—

Mr. MANN. Which is entirely unwarranted.

Mr. BUCHANAN. I ask a decision of my point of order, and not a reply from the gentleman from Texas.

Mr. SLAYDEN. The gentleman will get it, anyway.

The CHAIRMAN. To whom does the gentleman from Illinois [Mr. MANN] yield?

Mr. MANN. I stated before that I yielded to the gentleman from Texas.

Mr. SLAYDEN. If the gentleman will permit me just a moment, I want to say that in 15 years' service here I have never interrupted any gentleman on the floor of the House without conforming to the rule and without addressing the Chair and asking permission. I hope the gentleman himself will be as scrupulous in observing the courtesies of this House.

Now, I want to ask the gentleman from Illinois whether these sources of revenue for this pension fund that he speaks of will be adequate to meet it, and whether if they are not adequate the Treasury of the United States will not have to contribute to it, and whether, in point of fact, we will not have to contribute out of the Federal Treasury to keep the government of the District of Columbia going, anyway.

Mr. MANN. The sources of revenue contemplated by this bill are certainly sufficient to meet any deficiency, because this bill provides that, no matter what the deficiency may be, there shall be a special tax levied against all the property in the District of Columbia, in addition to the taxes now provided by law; but, of course, in the end we will be met with this proposition, that under the organic act, so called, we have agreed to pay as much for the benefit of the District as the District raises by taxation; and, of course, in the end we will have to pay our half of the deficiency. But this bill does not provide for that.

Mr. SLAYDEN. That is precisely what my understanding of the situation was.

Mr. MANN. Now I yield to my colleague.

Mr. BUCHANAN. Mr. Chairman, I want to ask my colleague, as a matter of information, whether he knows the provision for police pensions in Chicago and how the funds are raised there. My colleague probably knows.

Mr. MANN. I will say to my colleague that I have been over that matter quite thoroughly. I do not care to take it up and discuss it at this time.

Mr. BUCHANAN. Very well. I will withdraw the question.

Mr. MANN. I had the matter up in connection with the teachers' pension fund.

Mr. BUCHANAN. To-day?

Mr. MANN. No; not to-day.

Mr. BUTLER. Here is the provision—

Mr. MANN. I understand that. I have been over this, and I have not only read the law, but I have read the regulations concerning that, governing the trustees who have charge of the fund in Chicago. There is no place in the Union where, without a blanket provision, they raise money enough to pay the pensions that are authorized, unless there is a close limitation on the pensions which can be paid. Then in no case does it last very long, unless there is an absolute limitation that the pensions shall not exceed the amount which is paid in.

Mr. GARRETT rose.

Mr. MANN. I yield to the gentleman from Tennessee.

Mr. GARRETT. Mr. Chairman, I understood the gentleman to give a construction of the organic act in effect that the Federal Government was pledged to pay out of the Treasury an amount equal to the amount raised by taxation in the District of Columbia.

Mr. MANN. I did not express any opinion upon the subject. I said, of course, it is claimed that under the organic act the Federal Treasury must meet as much as is raised by taxation in the District, and in the end, in my judgment, that view will prevail in this case, as I think in ordinary cases it ought to prevail; possibly not in every case.

Mr. GARRETT. Of course, the question is whether or not the Federal Government is pledged to expend as much money as is raised by taxation, or whether it is pledged simply to expend an amount equal to the amount appropriated out of the District revenues.

Mr. MANN. I know, but if we raise it by taxation it has got to be spent in some way. Nobody proposes to raise money in the District of Columbia by taxation and let it remain forever in the Treasury. It must be expended in some way.

I have no doubt that if this bill becomes a law the chances are that it will provide that it will be half and half, although that is not what the bill says, and I do not think that is what the gentleman in charge of the bill desires. We all know what a furore there has been respecting the provision about playgrounds, that the money shall be paid wholly out of the funds of the District.

Mr. HILL. Mr. Chairman, did I correctly understand the gentleman a few minutes ago to say that retirement and pension is discretionary with the Commissioners, without regard to disability or length of service?

Mr. MANN. No; the gentleman did not understand me correctly. At the end of 15 years they can be retired for permanent disability. Any time before that they can be retired for actual disability incurred in service without any regard to the length of service. At the end of 15 years they can be retired for permanent disability and the list of retirements shows that the words "permanent disability" as applied to these people on the retired list are words of very wide latitude of construction, and no one who knows the facts will claim that anything like all of these persons on the retired list are in fact disabled from earning a living by manual labor.

Mr. Chairman, we have had a good deal of talk in Congress with reference to pensions for Civil War veterans, and there has been a great deal of criticism on account of the large pensions which we propose to allow by a pending measure. In the case of the firemen in the District of Columbia the average pension has increased so that it is now \$48.96 a month. One pensioner receives \$100 per month; two \$75 per month each; four \$65 per month each; and one \$60. In the police department the average pension paid was \$34.96, but is now \$29.68, although that includes some as low as \$2 per month. A pension is paid at \$90 and at \$75—very large pensions as compared with the proposed increase of Civil War pensions; a number of times as great as you propose to pay the Civil War pensioner who served three years in the Army or who has reached the age of 75 years. These people are not required to be so disabled as to need help. If they are merely permanently disabled from serving as policemen or firemen upon any excuse they go upon this retired list, with a blanket mortgage upon all of the property in the District of Columbia with which to raise the funds, and with no limitation or control by act of Congress or otherwise over the amount which shall be paid to any one individual. If we should follow the same course with reference to civil employees of the Government generally the pension fund of the Government would amount to more than a hundred millions of dollars a year. It seemed to me, Mr. Chairman, fair at this time to call the attention of the House to the history of this legislation, which I was not able to get at any place complete,

without going through the statutes myself, in view of the propositions that are constantly coming up concerning civil pensions, hoping that before we proceed further we would provide definitely what we intend for the future. I think in this case the Committee on the District of Columbia, if it had desired to raise the deficiencies on these pensions ought to have brought in a bill closely defining and describing those who should be pensioned, and the rates at which they should be pensioned, under some such system as prevails in all other countries in the world where pensions are granted—not merely granting the same pensions to everyone without any relation to the cause of the pensions. [Applause.]

Mr. REDFIELD. Mr. Chairman, I ask unanimous consent that general debate on this bill close in 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that general debate shall cease in 10 minutes. Is there objection?

Mr. SHERLEY. Mr. Chairman, I object for the present. I may want to speak on this matter myself a little later.

Mr. TRIBBLE. Mr. Chairman, I want to ask the gentleman from New York a question. Does this bill carry an appropriation to pay retired firemen?

Mr. REDFIELD. No.

Mr. TRIBBLE. Retired policemen?

Mr. REDFIELD. No.

Mr. TRIBBLE. What does the bill provide?

Mr. REDFIELD. Mr. Chairman, the bill provides for laying a tax on all the property in the District, the amount of which tax shall be sufficient to pay the deficiency in the fund already authorized by law.

Mr. TRIBBLE. What amount? What is the highest amount of one of those pensions?

Mr. REDFIELD. They are fixed by law at a maximum of \$50, except in the case of officers. The report gives the whole matter in detail.

Mr. TRIBBLE. Was the statement of the gentleman from Illinois [Mr. MANN] correct, that there will be some on this roll who would draw \$75 a month?

Mr. REDFIELD. There are some of the disabled officers who draw that amount.

Mr. TRIBBLE. What officers?

Mr. REDFIELD. Officers of the fire department.

Mr. TRIBBLE. What is their age?

Mr. REDFIELD. I do not know. The report gives every pensioner in detail. If the gentleman, instead of taking the time of the House, will be kind enough to look at the report, which sets out every pensioner—

Mr. TRIBBLE. Mr. Chairman, I have a perfect right to call the attention of the House to the fact by stating it before the House, by questioning you, if I see fit, without looking in the book to see.

Mr. REDFIELD. Unquestionably.

Mr. TRIBBLE. The gentleman is calling on us to pay \$75 a month to certain pensioners on that roll who served in the fire department?

Mr. REDFIELD. Yes.

Mr. TRIBBLE. And the gentleman is unable to give us any information as to whether these men are injured or any information as to the age of these men?

Mr. GARRETT. Why not let the gentleman from New York make his general statement?

Mr. TRIBBLE. Very well, I shall withdraw the question and see what information he will give about it. I am opposed to the bill, and I desire to bring out facts that will cause other Members to investigate before casting their votes to sustain the committee report.

Mr. REDFIELD. Mr. Chairman, the laws under which the pensions of the firemen and policemen of the District of Columbia are paid are not in any way whatever affected by this bill, either up or down. The list of pensioners complete appears in the report. There is no question whatever raised, and none has been raised, that the pensions existing are in accordance with law, nor does this bill affect the amount of those pensions in any way, shape, or manner.

But I will go on and deal a little, if I may, with the facts that the gentleman from Illinois [Mr. MANN] has stated. The fact is that the average amount of pensions in the larger fund is decreasing and not increasing. It has fallen off in four years from an average amount of \$34.90 to an average of \$29.68. There are many of these pensions which are very small, \$2, \$3, \$4, \$5, and \$6 a month, and so on. The term of service prior to retirement is increasing and not decreasing. The longest service before retirement is now 47 years, instead of 43 years, as four years ago. The entire increase in the fund for policemen from all causes has been \$600 per annum in four years.

The entire increase in the fund from all causes in the firemen's fund has been \$800 in four years. The law strictly requires that every second year every pensioner shall pass a medical examination, and failing to pass that examination his pension may be cut off, and, in fact, on the 29th day of July, 1908, four were discontinued entirely. Furthermore, the act provides that as a result of that examination the commissioners shall determine whether the pension being paid shall continue in whole or part, and as a matter of fact they are very commonly reduced. I have in my hand a list of 11 cases of pensions that were reduced by the commissioners on the 29th of July, 1908, and on the 30th day of June, 1910, there was another examination in which four further pensions were reduced. In one particular case the pension has been cut off from \$90 to \$1. In other words, the right of review exists and is exercised by the commissioners very carefully, and again within the next two months a further review will take place, as authorized by law. So that the facts are that not only is the largest amount of these pensions fixed by law heretofore passed by Congress, but, as a matter of fact, the reviewing body every two years passes upon the pensions and reduces a great many more of them than it increases.

So that the rolls seem to be very carefully guarded, more carefully guarded than any other roll that has come to my knowledge, and, as a result, on the police force the average pension is getting smaller every year and the term of service before retirement is getting longer. The fact, however, is that even with these reductions already existing there is not money enough to pay them, and the police fund beneficiaries, consisting chiefly of widows and children, are receiving about 60 per cent of that which has been allotted to them by the commissioners.

Mr. MANN. Will the gentleman yield for a question?

Mr. REDFIELD. With pleasure.

Mr. MANN. As the gentleman refers to the act of 1908 he refers to medical examination and change in the amount of pension. I call his attention to the fact that few pensions have been decreased. These pensions, as I understand it, have been decreased at the time when there was a threat that the amount of money in the pension fund would not be sufficient to pay the full pension. Is not that a fact?

Mr. REDFIELD. I think not.

Mr. MANN. Has not that threat been hanging over them since 1908—that there was not money enough to pay the full pensions?

Mr. REDFIELD. I think not. I think the fund up to year before last was sufficient in view of the last action of Congress. The reasons for the reduction of each of these pensions are given in the report of the secretary of the commissioners, which I hold in my hand, and in every case they were in accordance with the circumstances that developed. For instance, the pension of \$40 a month which is paid to R. S. Haynes was reduced to \$20 a month, he being, in the opinion of the police and fire surgeons, not more than one-half disabled for the performance of manual labor.

Mr. MANN. Is it not a fact that the Burkett report in the Senate, which is one of the most complete analyses of these funds we have, a few years ago called attention to the fact that the pension funds must run short, and thereupon legislation was enacted about that time providing for this reduction, and the reductions have been made in view not only of the possibility, but probability of a shortage in the fund?

Mr. REDFIELD. The Burkett report said that the receipts from the dog tax and police-court funds were likely to be smaller rather than larger and there would probably be in the future a shortage in that fund.

Mr. MANN. Now, does the gentleman think that with a law that raises all the money that is necessary in any fund there is any likelihood of there being any reduction?

Mr. REDFIELD. The gentleman's statement, if he will pardon me, is not quite complete. The law limits, as it has limited for years, the maximum pension. The maximum pension is so rarely paid that the average is about half of what is permitted. The average, if you take into account the officers' pensions, is less than half of what the law permits. Furthermore, the record shows that the board of review, comprising the commissioners, has exercised and does exercise usually its power to reduce and not to increase. Therefore it seems to me a perfectly sound business proposition to say if the law limits the maximum and provides a board, which by its practice has never used the maximum on the average, but exercises its power to reduce and in some cases to cancel, and when, despite those facts, which are lawful facts and provided for by law, women and children are not getting that which the law provides for them, I think it is an obligation of honor to pay. Nor do I think there is any reason which makes it look for a moment possible

that this fund can be utilized in the future in a way in which it has certainly not been utilized in the past.

Mr. MANN. The gentleman says that pensions which have been allowed have only been for half what might have been allowed. That pensions which should be allowed have been allowed out of funds temporarily insufficient to pay and only one-half of it has been allowed. Does not the gentleman think when it is arranged so that when these pensions can be allowed from an unlimited fund that the full amount will be allowed in every case?

Mr. REDFIELD. I did not hear the gentleman.

Mr. MANN. I will repeat it to the gentleman. The gentleman stated that only about one-half the amount which should be allowed has been allowed under these pension funds, it being admitted that the pension fund is insufficient to pay the amount which should be allowed. Does the gentleman doubt that when there is an unlimited fund out of which these pensions can be paid that practically the full amount will be granted, and instead of one-half now allowed, which is out of a limited fund, is it not the universal experience that when there is an unlimited fund out of which amounts can be paid salaries or pensions the tendency is to allow the full amount which can be paid instead of cutting it short, as is the case where there is a limited fund out of which they can be paid?

Mr. HAMILL. Will the gentleman yield for a question? I merely want to ask this question: Has the gentleman any objection to having the full amount allowed by law providing it is just that the full amount be paid?

Mr. MANN. Of course, Mr. Chairman, no one has any objection to the payment of any sum to anybody which is just to be paid.

Mr. HAMILL. Then the gentleman is not at all objecting to the payment of the full sum, but merely states that perhaps in certain cases it might be paid unjustly?

Mr. MANN. I think my distinguished friend has not been here to hear my talk of about an hour, and I do not wish to repeat it.

Mr. HAMILL. I heard a great deal of what the gentleman said, and enough, I think, on which to base the question which I put. I hope so.

Mr. MANN. I hope I gave that in my remarks. The question is a perfectly fair question. I do not desire to detain the House with a long discussion.

Mr. REDFIELD. Mr. Chairman, I renew my request for unanimous consent that debate on this bill be closed in 10 minutes.

The CHAIRMAN. The gentleman from New York [Mr. REDFIELD] asks unanimous consent that debate on this bill be closed in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. REDFIELD. Mr. Chairman, I do not quite understand what the difficulty is in the mind of my friend from Illinois [Mr. MANN] in repeating again and again, as regards this bill, the word "unlimited." If I am limited to an income of \$50 a month, I do not regard my income as unlimited. If a pension is fixed by law at \$50 a month, I do not think it is an unlimited pension.

Mr. MANN. Well, if the gentleman will permit, what I said was an unlimited fund out of which pensions might be paid. That is correct, is it not?

Mr. REDFIELD. If the pensions be themselves limited and the fund be sufficient to provide only for limited pensions, it can not be an unlimited fund. A fund which can provide for that which is limited can not be unlimited. Here are laws which provide pensions. Here is experience which shows that those laws are not utilized to the full even when there be sufficient funds.

There have been times in the past when these funds have been sufficient, but at those times the pensions were not raised. As a matter of fact, the history of the whole fund is that the board of commissioners examined these pensioners with care, as required by law to do, and on the whole reduced or canceled the pensions, and that without regard to the question whether there were funds sufficient to pay them or not. If we may judge by experience, therefore, that a pension system having strictly limited pensions and with a board of revision which shall revise downward, which is a new experience, I grant to my friend on the other side—if we may judge by experience, therefore, I think it is a sound and businesslike procedure, without changing the law or altering the powers of the board, which has used its powers wisely to provide sufficient funds as a matter of honor to pay these pensioners who now fail to receive that which Congress has allotted to them.

Mr. WILLIS. Will the gentleman yield?

Mr. REDFIELD. With pleasure.

Mr. WILLIS. I want to ask a question purely for information. I note here, on page 5 of the report, the statement of the pay roll of the fire department pensioners. Taking the case of those who appear here, I find one is receiving a pension of \$30 a month, the next one \$40, the next one \$45, the next \$55, and the next \$75. How is the rate of pensions determined under the existing law? The gentleman is familiar with that, no doubt.

Mr. REDFIELD. The act of the commissioners under the special statute instructing them so to do, and in accordance—

Mr. WILLIS. There is no fixed rate?

Mr. REDFIELD. There is a maximum rate fixed.

Mr. WILLIS. And what is that maximum rate?

Mr. REDFIELD. The maximum rate appears—

Mr. WILLIS. The maximum rate here, I see, is \$75.

Mr. REDFIELD. The maximum rate may be, in the case of a certain few officers, such as chief engineer of the fire department and superintendent or assistant superintendent or a captain or lieutenant of police, not to exceed \$100 per month.

Mr. WILLIS. In no case exceeding \$100 per month?

Mr. MANN. The pension for the widow is \$50 a month, notwithstanding the \$75 shown in the report.

Mr. WILLIS. There is one drawing \$75 a month, as shown in the report here.

Mr. MANN. I noticed that. That is probably an error in the report.

Mr. REDFIELD. That is probably an error in the printing of the report.

Mr. WILLIS. Some of the pensioners are not being paid at present. One is paid one-half. Does the gentleman say that the one receiving \$40 a month, and is entitled to that much, as a matter of fact is receiving only \$20? Is that what the gentleman means to say?

Mr. REDFIELD. Precisely. If I may refer to page 33 of the testimony before the House Committee on the District of Columbia in the Sixtieth Congress, it was said by the head of the department that the average pension is about \$40. That average pension is now cut down so that it is only \$29. So the chairman then said that if he got the 60 per cent of that it would be \$24. And according to the statement of Commissioner Rudolph then practically 60 per cent was paid and 40 per cent was not. That would be \$24.

Mr. WILLIS. As the gentleman knows, the limit under the general pension law for widows of soldiers is \$12 per month. I notice cases here vastly greater than that. I was wondering what the reason for it was.

Mr. REDFIELD. It is fixed by law.

Mr. MANN. Will the gentleman yield?

Mr. REDFIELD. With pleasure.

Mr. MANN. The gentleman says they are only receiving 60 per cent. The gentleman has information more recent than the report?

Mr. REDFIELD. That is the information I have.

Mr. MANN. The report would show the amount paid out last year from the policemen's pension fund was \$80,000 and the firemen's pension fund was nearly \$40,000, and the shortage this year is only \$25,000. That is a good deal less than the deficiency that the gentleman speaks of. Has the deficiency grown from \$25,000 to \$50,000 since the gentleman filed a report on this bill on March 28?

Mr. REDFIELD. On page 3 of the report there is shown a deficit in both funds of \$15,000. The auditor states that the estimated deficit for the present year is about \$25,000.

Mr. MANN. I have that before me.

Mr. REDFIELD. My information, received verbally from members of the board and confirmed verbally by the auditor, is approximately 60 per cent—what it has come to.

Mr. MANN. Yes; but the amount of the total receipts last year in the policemen's fund was \$81,000, and the amount in the firemen's fund was \$40,000. That is \$121,000. Twenty-five thousand dollars is very far from being 40 per cent of that.

Mr. REDFIELD. That is quite true.

Mr. MANN. And I apprehend there has been no change in the estimate since the gentleman filed his report, so that they must be receiving much more than 60 per cent now, unless this 60 per cent relates only to some one month and not to the year.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Kentucky?

Mr. REDFIELD. Yes.

Mr. SHERLEY. I would like to ask the gentleman if he would be willing to accept an amendment to his bill referring the proposition to the property owners of the District for an affirmative vote, the act not to become effective until a majority of those voting shall have voted in favor of it?

Mr. REDFIELD. No; I would not.

Mr. SHERLEY. I shall offer such a provision. I believe that a tax of this kind, levied on the people for the purpose of establishing a pension fund, should be levied as the result of a wish to have it, expressed at the polls.

Mr. NYE. Mr. Chairman, will the gentleman permit a question?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Minnesota?

Mr. SHERLEY. Certainly.

Mr. NYE. How would the Government be dealt with in that matter?

Mr. SHERLEY. The Government is paying no part of this tax. The act expressly provides that it shall be paid by the residents of the District of Columbia, and the provision I propose to offer is as follows:

The provisions of this act shall not take effect or be operative, nor shall any tax be levied or collected thereunder, unless a majority of the persons more than 21 years of age who own real or personal property in the District of Columbia and have paid taxes on same for the year 1912 voting at an election to be held for the purpose shall vote in favor of levying such tax. Said election shall be held on such day and between such hours as the Commissioners of the District of Columbia shall designate by the persons they shall name, and at the places and under such general rules as to the form of ballot, manner of returns, and such other reasonable conditions as they shall impose. All expenses of any election held hereunder shall be paid out of the contingent fund of the government of the District of Columbia and shall be reimbursed to said fund out of the first moneys realized from any taxes levied and collected hereunder.

Mr. NYE. The theory being that the property owners should determine how this tax should be levied, I suppose? I wondered how the Government, being a very large property holder in the District, would be represented in such a vote.

Mr. SHERLEY. The Government, as a property owner, could not vote, but because you could not have every property owner vote is no reason why you should not give the people a chance to rule and let them have an opportunity to vote on this question.

Mr. MANN. The Government does not pay any of the tax.

Mr. SHERLEY. I understand it does not, and therefore it should not vote, anyway.

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Georgia?

Mr. SHERLEY. Certainly.

Mr. TRIBBLE. A good deal has been said about "the board," and a board fixing the amount of pension, and a board determining the character of the taxables, and so forth. Who is that board?

Mr. SHERLEY. The gentleman can get the accurate information he desires from others better than from myself. All I propose here, and all I shall seek to do at all, is to give to the people who bear the burdens the right to vote on the subject.

The CHAIRMAN. The time of the gentleman has expired. All general debate has expired.

Mr. SHERLEY. Is the committee proceeding under general debate, or how?

The CHAIRMAN. Under unanimous consent. The time for general debate has expired.

Mr. SHERLEY. I shall not take any more of the time of the committee until the bill is read and then I shall offer the amendment and speak to it under the five-minute rule.

The CHAIRMAN. The Clerk will read the bill under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized and directed hereafter to cause to be annually levied upon all property in the District of Columbia which is now or which may hereafter become subject to general taxation, such a rate of taxation as will provide such sum or sums as will be sufficient to meet any present or future deficiency in the fund now set aside by law for the payment of police and firemen's pensions and relief in the District of Columbia: *Provided,* That the tax so levied shall be collected by the collector of taxes in and for the said District of Columbia, and the proceeds thereof shall by him be deposited in the Treasury of the United States to the credit of the said fund or funds for the payment of the police and firemen's pensions and relief provided by law. The Treasurer of the United States shall from time to time, when the existence of any deficiency in the fund for payment of police and firemen's pensions and relief shall be certified to him in writing by the Commissioners of the District of Columbia, pay from the Treasury of the United States the sum or sums necessary to meet said deficiency under the written direction of the said commissioners in order that each person lawfully entitled to any part of said police and firemen's pensions and relief fund may receive the same in full.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, lines 10 and 11, strike out the words "payment of police and firemen's pensions and relief in the District of Columbia: *Provided,*

That" and insert in lieu thereof the words "benefit of the police relief fund, District of Columbia, and of the firemen's relief fund, District of Columbia."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, I would like to inquire of the gentleman from New York [Mr. REDFIELD] where he gets the title of the "firemen's relief fund"? In all the laws that have been passed these are referred to as the "policemen's fund" and the "firemen's fund."

Mr. REDFIELD. The titles were furnished by the auditor of the District of Columbia. He revised the bill carefully.

Mr. MANN. That only illustrates the fact that no one seems to know what the law is.

Mr. REDFIELD. I think the titles are correct.

Mr. MANN. They may be correct. When they go into this law we may improve them. But in no such case is the name referred to in other laws on the subject.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, lines 6 and 7, strike out the words "fund or funds for the payment of the police and firemen's pensions and relief" and insert in lieu thereof "police relief fund, District of Columbia, and the firemen's relief fund, District of Columbia, as now."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 9, strike out the word "Treasurer" and insert in lieu thereof the words "Secretary of the Treasury."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, lines 11 and 12, strike out the words "fund for payment of police and firemen's pensions and relief" and insert in lieu thereof "police relief fund, District of Columbia, or firemen's relief fund, District of Columbia."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 15, strike out the word "pay," after the word "Columbia," and insert in lieu thereof the words "cause to be paid."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 19, strike out the words "police and firemen's pension and relief fund" and insert in lieu thereof the words "police relief fund, District of Columbia, or firemen's relief fund, District of Columbia."

Mr. MANN. Mr. Chairman, this bill provides that in a certain event the Secretary of the Treasury, when a deficiency is certified to him, shall cause to be paid from the Treasury of the United States the sum necessary to meet the deficiency, but there is no appropriation in the bill. The bill does not appropriate the money, and I should think that even the auditor of the District of Columbia, who made these suggestions, would know that under the Constitution of the United States the Secretary of the Treasury can not pay money out of the Treasury unless it is appropriated by Congress. Here is a direction to the Secretary to cause the sum to be paid from the Treasury, but there is no appropriation of the sum. I suppose the bill will not become a law in that shape, but if it should, probably it would be valueless.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 16, after the word "States," insert the words "as hereinafter provided."

Mr. FITZGERALD. As I understand section 2, it provides that whatever money is paid shall be paid out of funds in the Treasury to the credit of the District of Columbia. This provision contemplates the payment of these pensions by the Secretary of the Treasury out of the general fund. This amendment would simply make any payments that are to be made payable out of the funds to the credit of the District.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MANN. Does the gentleman regard the provision in the bill that the Secretary of the Treasury shall cause to be paid from the Treasury certain sums a sufficient authority for the Secretary of the Treasury to get the money out of the Treasury without an appropriation?

Mr. FITZGERALD. Oh, in addition to the provision of the Constitution to which the gentleman from Illinois calls attention, that no money shall be paid out of the Treasury unless appropriated by Congress, there is a general statute which provides that no words in any act shall be construed as making an appropriation unless the appropriation is made in terms. But this is not to cover the point the gentleman brings up.

Mr. MANN. I understand.

Mr. FITZGERALD. This is to eliminate any question when the payment is made, if there be any, as to the particular fund from which the payment shall be made.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. FITZGERALD].

The amendment was agreed to.

The Clerk read as follows:

Sec. 2. That this act shall take effect upon its passage.

With the following committee amendment:

Strike out line 22, page 2, and insert the following:

"SEC. 2. That the tax, the levy and collection of which is herein provided for, shall be an additional one, over and above the tax rate now provided for by general law, and the proceeds thereof shall not be used for any purpose other than that hereinbefore authorized. Said tax shall be levied and collected, as above provided, by the Commissioners of the District of Columbia at the same time as the tax on all property now subject to general taxation in the said District. There shall be no contribution to either of the aforesaid funds, either directly or indirectly, from the United States. The Commissioners of the District of Columbia are hereby directed, on the 1st day of each and every month until the first collection of taxes under this act shall have become available, to draw a requisition upon the Secretary of the Treasury of the United States for such sum or sums as will, when added to the amount already to the credit of each of the hereinbefore-named funds, be sufficient to pay in full the amount lawfully due each and every person upon the roll of the police relief fund, District of Columbia, as well as those upon the roll of the firemen's relief fund, District of Columbia; and the said Secretary of the Treasury shall cause to be paid the amount of said requisition for the said purposes out of any moneys in the Treasury to the credit of the District of Columbia which can, in the opinion of the said commissioners, be spared for the time being from any fund held by the said Treasury for the District of Columbia: *Provided, however,* That any money so used shall be repaid to the fund from which it was taken out of the first money collected under the tax herein provided for: *And provided further,* That no part of the money gathered under said levy shall be paid to those upon the rolls of either of the said two relief funds until all of the money taken out of the Treasury as aforesaid shall have been refunded thereto."

The amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I offer an amendment in the nature of a new section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, after line 4, insert as a new section the following:

"The provisions of this act shall not take effect or be operative nor shall any tax be levied or collected thereunder unless a majority of the persons more than 21 years of age, who own real or personal property in the District of Columbia and have paid taxes on same for the year 1912, voting at an election to be held for the purpose, shall vote in favor of levying such tax. Said election shall be held on such day and between such hours as the Commissioners of the District of Columbia shall designate and by the persons they shall name and at the places and under such general rules as to form of ballot, manner of returns, and such other reasonable conditions as they shall impose. All expenses of any election held hereunder shall be paid out of the contingent fund of the government of the District of Columbia and shall be reimbursed to said fund out of the first moneys realized from any taxes levied and collected hereunder."

Mr. SHERLEY. Mr. Chairman, the language of the amendment clearly discloses its purpose. It is the kind of referendum that most of us are familiar with in similar form in our States. In the State of Kentucky for years we have had in the constitution a referendum provision whereby bond issues should not be authorized until after an affirmative vote of the people. This bill proposes a tax upon the people of the District of Columbia alone, and it is a tax for a specific purpose. It involves a question easily understood, and about which the people of the District could, at a referendum vote, clearly express their opinion. In my judgment, they should be given the opportunity to express an opinion upon the wisdom of this legislation before it becomes finally effective.

Mr. BUCHANAN. The gentleman provides only for a vote of the property owners.

Mr. SHERLEY. I confine the vote to those who bear the burden of taxes.

Mr. BUCHANAN. Does not the gentleman think that rents in the District of Columbia are high enough to cover the amount of the taxes? Does not the renter pay the tax?

Mr. SHERLEY. Mr. Chairman, I do not care to go into the theory of the single tax or whether a tax is distributed on others. I am simply taking the perfectly obvious course of hav-

ing those who directly pay the tax have a right to say whether they should have this further burden placed upon them.

Mr. BUCHANAN. Does the gentleman know of any State that gives only the property owners the right to vote upon a question of this kind and not all of the legal voters?

Mr. SHERLEY. I think there are quite a number of States that give this right to the taxpayers upon certain questions.

Mr. BUCHANAN. Can the gentleman name any one State?

Mr. SHERLEY. I do not know that I could name any one offhand.

Mr. BUCHANAN. The gentleman does not know of any one State that he can name.

Mr. SHERLEY. Mr. Chairman, I have not undertaken to examine the laws of the different States, but I have a positive impression to that effect. Whether there be any States that have such laws would not necessarily determine my judgment as to the wisdom of this provision. What I propose here is simply to allow those who have the burden placed upon them to have a voice in saying whether it shall be placed there.

Mr. MOSS of Indiana. Mr. Chairman, in the referendum vote in Kentucky is the vote limited to just those who are property owners?

Mr. SHERLEY. My impression is that it is not. I do not care to take further time of the committee.

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield for a question?

Mr. SHERLEY. Yes.

Mr. TRIBBLE. Over half the population of this city is a moving population, is it not; and the gentleman wants to place in the citizen who lives here and pays taxes the right to vote upon this question?

Mr. SHERLEY. It is necessary that there should be some provision indicating an eligibility to vote. I have not restricted it to sex. I have taken the usual age of 21 years, and have simply provided that any person in the District who pays a tax, no matter how small, and upon whom would thereby fall the burden of this act, shall have the right to express his or her view on the matter before the act finally becomes operative.

Mr. HAMILL. Mr. Chairman, I am heartily in favor of the referendum in proper matters of legislation, and yet I do not think that this is a case where the referendum ought to be applied. If this were an entirely new proposition and we were determining whether or not we would establish pensions for police or firemen, then there might be some reason for submitting it to a vote of the people.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. HAMILL. Yes.

Mr. SHERLEY. Will the gentleman support a provision that we shall submit to the people that original proposition and on their vote determine the existence of the present pension law?

Mr. HAMILL. No; and for this reason, that the people have evidently given their assent to the establishment of a police and firemen's pension system in the District of Columbia.

Mr. SHERLEY. How?

Mr. HAMILL. By the fact that for years they have paid into the pension funds moneys accruing from fines in the police courts and moneys accruing from dog licenses—

Mr. SHERLEY. Did they have any option in the matter?

Mr. HAMILL. Wait one moment—their own money. They have paid it into this pension fund, and this Legislature has never heard a word of complaint about it from the people of the District.

Mr. SHERLEY. Did they not have to pay it under the law?

Mr. HAMILL. Yes.

Mr. SHERLEY. Did they have any option in the matter?

Mr. HAMILL. The point I am making is that the gentleman is supposing that there is some dissatisfaction with this proposition to maintain a police and firemen's pension fund.

Mr. SHERLEY. The gentleman is not holding any opinion one way or the other. He is not supposing that there is an objection to it; neither is he supposing that there is favorable consideration of it. He is simply proposing to take the only practical way of finding out.

Mr. HAMILL. I say that the fact that the police and firemen's pension system has been acquiesced in without objection is proof that it is acceptable to the people of this District. Briefly speaking, this is the proposition of the gentleman from Kentucky: The people of the District established a pension fund; they intended to pay every man the amount of pension to which he was entitled. Now, owing to the falling off of the revenues in the sources they provided, it is necessary to come to this Legislature in order to obtain sufficient moneys whereby the people of the District of Columbia can pay their debts, and the gentleman from Kentucky wants this Legislature to ask

the people of the District, through the cumbersome and expensive machinery of a municipal election, whether or not they ought to be compelled to pay their honest debts.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. HAMILL. Certainly.

Mr. COOPER. Do I understand that the gentleman from Kentucky [Mr. SHERLEY] advocates the referendum in this matter?

Mr. HAMILL. Yes; he does.

Mr. FOSTER. Mr. Chairman, I just want to say a word. I am very much pleased to vote for an amendment to give the people an opportunity to say whether they want a law or not. I am a believer in the referendum as far as we are able to carry it to the people. Especially is that so when it comes to the levying of taxes, and matters that affect them directly. I think it will be somewhat refreshing to the country when this House goes on record as supporting the matter of the referendum for the District of Columbia. The people have some rights in this country in reference to legislation that a legislative body may enact into law, and many times if the people had an opportunity to express themselves on legislation they would not approve of it. Also, many times, if they had an opportunity to initiate legislation which legislative bodies refuse to enact, they would put it into force.

Mr. MOSS of Indiana. I would like to ask the gentleman if he is in favor of a referendum that goes back to the legal voters, or simply goes to the taxpayers?

Mr. FOSTER. I am for the legal voters.

Mr. MOSS of Indiana. This proposition goes back, however, to only part of the legal voters.

Mr. FOSTER. This is a step in the right direction, and I am for giving the people the right to say what they want—a right for all the people to express themselves.

Mr. HAMILL. Would it not be just as sensible to attach a referendum to a proposition to repave a street as it would be to attach a referendum to this bill to replete the pension fund?

Mr. FOSTER. I do think this, that there are many streets in cities that are paved which if the people had an opportunity to express themselves about would not be paved.

Mr. MANN. Mr. Chairman, is there not a referendum in the State of Illinois on the pavement of a street?

Mr. FOSTER. Yes.

Mr. MANN. Where two-thirds of the property owners can absolutely stop the pavement of the street?

Mr. FOSTER. Yes. We have that law in the State of Illinois. A few years ago the State of Illinois voted by nearly 500,000 majority for the initiative and referendum. The people, regardless of party—Democrats and Republicans—voted for such a law to be passed by the legislature.

But we have not been able yet to secure what we voted for at that time, because the legislature refused to pass it.

Mr. HAMILL. Is not this the law of Illinois, not that there is a general referendum on the paving of streets, but that the property owners along the section to be improved vote upon it, based upon a certain proportion of the value of the property or the number of residents in giving their assent to the improvement?

Mr. FOSTER. I will say that is a referendum.

Mr. MANN. That is a real referendum.

Mr. FOSTER. And the people who have to bear the burden of taxation are those who are directly interested—

Mr. BUCHANAN. The gentleman is familiar with the laws providing for the pavement of streets in the city of Chicago?

Mr. FOSTER. Not very much.

Mr. BUCHANAN. Is not the gentleman sufficiently informed to know that property owners holding vacant property for speculation purposes obstruct the improvement of the streets, and do you not know—I think the gentleman is familiar with this—

Mr. FOSTER. I have not had much experience with the pavement of streets in the city of Chicago, but what little I have had they usually put down pavements when they want to and usually charge the price they want to, and I think my colleague can testify to that.

Mr. KENDALL. That is in the silk-stocking ward, where a majority of them live.

Mr. FOSTER. I do not think it is confined to any particular ward of Chicago.

Mr. BUCHANAN. I hope my colleague is not in favor of a referendum which will provide for turning it over to property owners only to vote.

Mr. FOSTER. It might be a little difficult from any proposition, but I think on any proposition that affects the general welfare of the people they ought to be allowed to vote and say

whether it is good or not, and it does not matter whether the man had \$1 worth of property or \$10,000 worth of property. [Applause.]

Mr. BUCHANAN. I want to say I will never vote for a proposition for a referendum that does not give all the citizens the right to vote upon it.

Mr. FOSTER. I am for the right of all citizens to take part in this government and vote on all propositions affecting them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REDFIELD. Mr. Chairman, I can not think that the gentleman from Kentucky, in offering this amendment, means to be taken seriously. I have too much respect for his business judgment and his sober sense to think that he means this amendment, and if it should be attached to this bill—in the first place, I object to the amendment because it makes a mountain out of a molehill. When a man pays on his property, which is assessed at \$10,000, which is two-thirds of its value, an annual tax of 85 cents, which is all he would pay if the present deficiency is supposed to be doubled, I do not think he is going to be worried very much as to whether that serious burden of taxation is imposed upon him or not.

Mr. BOWMAN. Will the gentleman yield?

Mr. REDFIELD. In a moment. I object to the amendment on the plain ordinary business ground that the cost of the referendum election called for by it would largely exceed the amount of the tax, and it does not seem to me good sense when a man is asked to spend 85 cents if he happens to have \$15,000 worth of property to ask him to spend three or four dollars to determine whether he will expend 85 cents or not. Now I will yield to the gentleman.

Mr. BOWMAN. I see in the report the total deficiency of the firemen's relief fund was \$5,260. That is for 1911, and that the policemen's relief fund is \$10,304. What is the total up to the present time of the deficiency?

Mr. REDFIELD. It is estimated that the deficiency for the present year may be about \$25,000. That would be assessed upon \$355,000,000 worth of property, and on page 5 of the report will be found a statement that the result would be a tax of 85 cents a year upon property assessed on the two-thirds valuation at \$10,000, or, in other words, 85 cents a year on property actually valued at \$15,000, and all that action is based upon an assumed deficit of \$30,000, so on the present basis it will be 42½ cents a year, and the cost of an election of the kind would be probably \$50,000 or \$80,000.

Mr. SHERLEY. In my city, nearly the size of this, we can hold an election for not exceeding \$5,000 or \$6,000, and I have no doubt it can be done here. Now, I would like to know how much money would be received by this tax the first year?

Mr. REDFIELD. The amount would be \$15,000.

Mr. SHERLEY. Well. The gentleman figures it costs more to have the referendum on the theory that it would cost \$40,000 for an election. This is not New York.

Mr. REDFIELD. The gentleman forgets that in this city of Washington there is no election machinery and that he must create all the election machinery before he can hold an election.

Mr. SHERLEY. That is what makes me say that we can do it cheaper than they can in New York.

Mr. REDFIELD. And the mere creation of that machinery, for which I regret his amendment fails to provide—in fact, I am not sure it is not open to a point of order, inasmuch as it calls for that to be done for which there is no lawful means of doing—would seem to make it impossible to carry out that amendment, even though he does offer it in all the sincerity which I have found characteristic of him. I hope the amendment will fail.

Mr. SHERLEY. It will be noted that the gentleman from New York [Mr. REDFIELD] has found nothing sufficiently strong to urge against this amendment to insure its defeat and has been forced to the position of questioning the sincerity of the gentleman from Kentucky. He is so much a New Yorker that he is unable to get out of his mind the extravagant cost of primary and election machinery that is incident to that great Commonwealth. I beg to assure him that this can be done for a much less sum than the amount of tax that will be raised in one year. It will enlighten Congress very much on questions of taxation, and perhaps teach us salutary lessons about imposing upon people the burdens of taxation without a serious consideration of the subject.

Mr. MOSS of Indiana. Mr. Chairman, I offer the following amendment to the amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. MOSS] offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the words:

"Who own real or personal property in the District of Columbia and have paid taxes on same for the year 1912."

Mr. MOSS of Indiana. Mr. Chairman, I would like to say I am not much in favor of the amendment of the gentleman from Kentucky [Mr. SHERLEY]. If you are going to pension certain classes of people for public services, I think those pensions ought to be paid. I do not object to a referendum, but I do object to a referendum that shall not go back to all the people, but only to a part of them. If this amendment should be adopted, it will simply mean that it would go back to all the people of this District.

Mr. SHERLEY. Will the gentleman permit an inquiry? How does he propose, speaking practically now, to have a referendum that does not have some limitation as to those who are entitled to vote? Washington is a peculiar city, with a changing, shifting population that does not have the permanency of other cities, and without, as the gentleman from New York [Mr. REDFIELD] suggested, having at present any election machinery. I suggest to the gentleman that my amendment goes further than the law of Indiana, where the gentleman has voted for so many years, because this permits the women as well as the men to vote, and the women and men who are taxpayers in the District represent a very much larger proportion of the population than the electorate in the State of Indiana.

Mr. MOSS of Indiana. We give certain pensions in the State of Indiana. I do not know of a single pension granted by the law in the State of Indiana that does not provide a fund to pay for it without any referendum vote, nor do I know of any law in Indiana which limits the right of suffrage to property owners.

Now, the remarks of the gentleman from Kentucky [Mr. SHERLEY] concerning the difficulties of arranging a vote in this District goes very far to show that his amendment ought not to be adopted, because it shows that the amendment will practically defeat the whole purpose of the proposed law. If my amendment does nothing more than that, I shall be glad to have offered it. I favor paying in full the pensions to the disabled and retired policemen and firemen according to the rates in the existing law. If this intent of the law is to be referred to any authority other than the Members of Congress, it ought to be referred to all the people and not referred to the taxpayers alone.

Mr. FOWLER. Mr. Chairman, I am very much in favor of submitting all those questions which have for their object the increase of the burdens of taxation to the people who pay the increased tax. But, Mr. Chairman, I could not hold my respect for the poor people of this city and of this Republic if I did not stand here and defend their right to cast their vote upon questions of this character. To say that a certain part of the population of this city should not have a right to cast a vote upon taxation because of the fact that that population is without real estate or without personal property is to deprive that class of people of the right of franchise.

And I never intend to vote for any proposition, wherever it may come up in my presence and where I have a right to vote, to deprive the poor of the same rights that the rich claim for themselves. It is unjust, it is unpatriotic, it is un-American in its character. [Applause.]

Mr. Chairman, I am very heartily in favor of the amendment which is proposed to the amendment of the gentleman from Kentucky [Mr. SHERLEY]. I favor this amendment because it gives the right of the people, rich and poor alike, to pass upon the questions to increase taxation. The people ought to have the right to settle all such questions, but the original amendment disfranchises a part of the people of the District of Columbia solely on the ground that they are poor people. This is not in harmony with the fundamental principles of this Government, and if his amendment passes without the passage of the pending amendment thereto it will enact a new national policy basing the right of franchise upon the ownership of property, and, in my opinion, be unconstitutional.

I am aware of the fact that there are some conditions existing in this city which is embarrassing to some extent, because I understand that there are no fixed methods and preparation for holding elections, but this ought not to be urged as a reason for not permitting the people to decide questions of local taxation. They have been deprived of local self-government too long now, and I think Congress should speedily provide for such self-government and give them the right to the ballot box, so that they may wisely inaugurate a municipal policy wherein the active and intelligent citizens of this city may exert their energies for improvement and extension of the power and in-

fluence of this Capital City—the pride of every American citizen.

Mr. Chairman, I hope that the amendment to the amendment will pass.

Mr. REDFIELD. Mr. Chairman, I move that all debate on this amendment do now close.

Mr. SHERLEY. You had better make it 10 minutes.

The CHAIRMAN. The gentleman from New York moves that all debate on this amendment do now close.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. REDFIELD. Mr. Chairman, I move that debate close in five minutes.

The CHAIRMAN. The gentleman from New York [Mr. REDFIELD] moves that debate close in five minutes. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. REDFIELD. I ask for a division, Mr. Chairman.

The CHAIRMAN. Those in favor of the motion will rise and stand until they are counted.

Mr. REDFIELD. Mr. Chairman, I withdraw my motion for a division. I ask unanimous consent to close debate in 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate close in 10 minutes. Is there objection?

Mr. MANN. We ought to have more time, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. MANN. Mr. Chairman, I desire to be heard just a moment on this amendment. It will be noticed that this bill proposes in a way to violate what is called the organic act of the District of Columbia, providing that one-half of the expenses shall be paid out of the Federal Treasury. If that change in the law is to be carried through by this bill, it ought to be carried through in such a way that no one in the District can hereafter turn around, if this bill goes into effect, and claim that the Federal Treasury should pay one-half of the expense; and the only way that can be avoided is to let the people of the District have an opportunity to vote in favor of the act. I am in favor of putting the people on record, so that they can not hereafter come to Congress and say, "You have violated the organic-act agreement, and now you must pay half of this expense out of the Federal Treasury." If they vote for it, it will not lie in their mouths to complain of the effects of it hereafter.

Now, as to voting in the District, you can not say that everybody indiscriminately can vote, and you can not say they can vote anywhere, or that they can vote unless they are duly qualified voters, or anything of that sort.

If you do that, there is no way of limiting the time or places of voting, and some enterprising gentlemen might vote in different places. It would not be fair to say that no one can vote on a proposition of this sort except legal voters in the District of Columbia, because those who are working in the departments here and have retained their residences at home—elsewhere—who have bought houses here, ought to be permitted to vote equally on the question with those who have lived here all their lives and who have no voting residence outside.

Mr. HAMILL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from New Jersey?

Mr. MANN. Certainly.

Mr. HAMILL. On a question of this kind does not the gentleman think we first ought to have a statute mapping out a scheme of voting and specifying who can vote, before we attempt to put a question by a referendum to the vote of the people?

Mr. MANN. Well, the gentleman's proposition leaves it to the District Commissioners to say how a man shall indicate his intention or his opinion. It is a very easy matter for the District Commissioners to provide for election districts, or election officers, or the regulation of elections. It requires no genius to do that. All that is required is that a man shall go through some statute and examine it in relation to the subject. There is no difficulty in having an election at all. Those who live here, who are employed in the departments or otherwise, who own property here, even though they have voting residences elsewhere, ought to be given a chance to say whether they desire to put themselves on record in favor of this proposition, and if they do, it will not lie in their mouths hereafter to complain that part of the money does not come out of the Federal Treasury.

Mr. BUCHANAN. Mr. Chairman, I am very much surprised and pleased at the sudden development of sentiment for the referendum here in Congress. But when they propose a measure or an amendment for a referendum that applies only to a vote of the property holders, it has the earmarks of plutocracy on it, from my point of view, and therefore I am opposed to any such amendment.

I have been all my life in favor of the referendum on matters that concern the people, and I believe that any resident of this District has as much right to vote upon a question of this kind as has any property owner, who probably does not live here at all; and therefore the amendment, if passed in its original form without modification, would be very objectionable to me.

I would like to know, though, why it is so necessary to have a referendum on this particular question of taxation and none on any other question of taxation. We have here in the District of Columbia something which to my mind is a reflection on Congress. We have two street car companies that are given the power to tax those who use the street cars of Washington and the District of Columbia. Why would it not be proper to give the people a chance to vote on that question, and refer that matter to a referendum, and see what they would do as to that?

How many of the Congressmen would now be ready to take up and pass a resolution to give the people of this community some relief from the robbery committed by the street car companies in this city in the way of two transfer systems? In other words, why not give the people a chance to vote on the question of universal transfers in the District of Columbia?

Mr. SHERLEY. Mr. Chairman, will the gentleman permit an interruption?

Mr. BUCHANAN. Why is it so necessary now to start in on a small portion of the taxation—which provides for what? To take care of those who have served the city of Washington and the District of Columbia, and those who are dependent on them and who are in need of some kind of support.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Kentucky?

Mr. BUCHANAN. Yes.

Mr. SHERLEY. I simply want to say to the gentleman that I can speak only for myself, but for myself I will be very glad if any sort of plan can be devised to enable the people of the District of Columbia, or even Congress, to deal with the street railways of this District.

Mr. BUCHANAN. I am glad to know that. I hope a large majority of the Members here feel the same way about it. We certainly need relief from those corporations.

Mr. LOBECK. And while we are waiting for this referendum on the small sum of \$15,000 to \$25,000, which referendum will cost us from \$5,000 to \$10,000, needy men, women, and children will have to wait on this great body for a chance to supply their wants.

Mr. BUCHANAN. Yes.

Mr. LOBECK. When we have a regular pension bill coming up, both for the school-teachers of this District and a general pension law, then let us refer the whole matter when it counts for something in dollars and cents.

Mr. BUCHANAN. Yes; refer the whole thing to a referendum, and I will be for it. I am not in favor of referring this small matter to a referendum, and therefore delaying the giving of this relief to the policemen and firemen of the city of Washington.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

Mr. MOSS of Indiana. I ask to have the amendment reported.

The CHAIRMAN. The Clerk will again report the amendment to the amendment.

The Clerk read as follows:

Strike out "who own real or personal property in the District of Columbia and have paid taxes on same for the year 1912."

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. FOWLER. Division!

The CHAIRMAN. The noes have it, and the amendment is rejected.

Mr. FOWLER. I asked for a division before the announcement of the Chair.

The CHAIRMAN. The question is now upon agreeing to the amendment of the gentleman from Kentucky [Mr. SHERLEY].

Mr. TRIBBLE. I have an amendment.

Mr. FOWLER. Mr. Chairman, I asked for a division on the question.

The CHAIRMAN. The gentleman from Illinois did not rise. Mr. FOWLER. I was rising, Mr. Chairman.

The CHAIRMAN. The question now before the committee is the amendment of the gentleman from Kentucky [Mr. SHERLEY].

Mr. FOSTER. Can we not have the division that was called for by my colleague.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that the question has been decided.

Mr. FOSTER. Does the Chair decide that when a man is rising in the attempt to get a division there can be no division?

The CHAIRMAN. No one rose until after the question had been put and decided.

Mr. FOSTER. I myself saw the gentleman getting up.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The question is on the amendment of the gentleman from Georgia [Mr. TRIBBLE], which the Clerk will report.

Mr. FOWLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. I desire to know if the rules of this House provide that on a request for a division it can not be had unless the man who is asking for it stands straight?

The CHAIRMAN. The Chair will state to the gentleman that neither the gentleman from Illinois nor anyone else rose and asked for a division until after the question had been determined.

Mr. FOWLER. Mr. Chairman, before the Chair had announced the vote I asked for a division.

Mr. MANN. Mr. Chairman, if the Chair will pardon me, I do not think the Chair would intentionally in any case take advantage of my colleague from Illinois. My colleague did not at first rise, but did ask for a division and then rose. I think the Chair did not hear my colleague. It has been the invariable practice, where a gentleman asked for a division without rising, to grant the division, if the Chair heard the demand, unless some one made the point of order. My colleague did rise before any other proceeding took place. I think in fairness, if the Chair did not hear him, he having attempted to ask for a division, he is entitled to a division.

The CHAIRMAN. The Chair has no disposition to cut off anything like that.

Mr. MANN. We know that.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] demands a division. The question is on the amendment to the amendment.

The question being taken, the amendment to the amendment was rejected.

The CHAIRMAN. Did the gentleman from Georgia [Mr. TRIBBLE] offer an amendment?

Mr. TRIBBLE. Yes.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Georgia, which is an amendment to the amendment of the gentleman from Kentucky.

The Clerk read as follows:

In line 3 insert the word "male" between the word "the" and the word "persons," so that it will read "unless a majority of the male persons."

The question being taken, the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment of the gentleman from Kentucky [Mr. SHERLEY].

The question being taken, on a division (demanded by Mr. SHERLEY), there were—ayes 38, noes 38.

Mr. SHERLEY. I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. SHERLEY and Mr. REDFIELD.

The committee again divided; and the tellers reported—ayes 51, noes 50.

Accordingly the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next section of the bill.

The Clerk resumed and completed the reading of the bill.

Mr. REDFIELD. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House, with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLDFIELD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 20840) to provide for deficiencies in the fund for police and firemen's pensions and relief in the District of Columbia, and had directed him to report the same to the House with sundry amend-

ments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. REDFIELD. I demand a separate vote on the amendment offered by the gentleman from Kentucky [Mr. SHERLEY] to section 3.

The CHAIRMAN. If there be no objection, the other amendments will be voted on in gross.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, after line 4, insert as a new section:

"The provisions of this act shall not take effect or be operative nor shall any tax be levied or collected thereunder, unless a majority of the persons, more than 21 years of age, who own real or personal property in the District of Columbia and have paid taxes on the same for the year 1912, voting at an election to be held for the purpose, shall vote in favor of levying such tax. Said election shall be held on such day and between such hours as the Commissioners of the District of Columbia shall designate, and by the persons they shall name, and at the places and under such general rules as to form of ballot, manner of returns, and such other reasonable conditions as they shall impose. "All expenses of any election held hereunder shall be paid out of the contingent fund of the government of the District of Columbia, and shall be reimbursed to such fund out of the first moneys realized from any taxes levied and collected hereunder."

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Kentucky, which has just been reported by the Clerk.

The question was taken; and on a division (demanded by Mr. SHERLEY) there were—ayes 49, noes 63.

Mr. SHERLEY. Mr. Speaker, I demand the yeas and nays.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The point of order is sustained. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, the Clerk will call the roll, and the question will be taken on agreeing to the amendment.

The question was taken; and there were—yeas 124, nays 119, answered "present" 11, not voting 136, as follows:

YEAS—124.

Ainey	Francis	Lafean	Rees
Akin, N. Y.	French	Lafferty	Rubey
Anderson, Minn.	Garner	La Follette	Russell
Ansberry	Garrett	Lewis	Sells
Barchfeld	Gray	Littlepage	Sherley
Bathrick	Green, Iowa	Lloyd	Sims
Beall, Tex.	Gregg, Pa.	McDermott	Sisson
Broussard	Gregg, Tex.	McGuire, Okla.	Sloan
Browning	Guernsey	McKinley	Smith, J. M. C.
Butler	Hamilton, Mich.	McLaughlin	Smith, Saml. W.
Byrns, Tenn.	Hamilton, W. Va.	Maguire, Nebr.	Speer
Candler	Hammond	Malby	Steenerson
Cantrill	Hardy	Matthews	Stephens, Cal.
Carter	Hayden	Mondell	Stephens, Miss.
Catlin	Helm	Morgan	Stephens, Nebr.
Collier	Higgins	Morrison	Sterling
Copley	Hill	Morse, Wis.	Sulloway
Cox, Ohio	Howell	Murdock	Talcott, N. Y.
Cullop	Howland	Neeley	Thomas
Danforth	Hubbard	Nelson	Tilson
Daugherty	Hughes, N. J.	Nye	Towner
Davenport	Humphrey, Wash.	Olmsted	Utter
Dies	Humphreys, Miss.	Page	Volstead
Dixon, Ind.	Jackson	Pepper	Warburton
Driscoll, D. A.	Johnson, S. C.	Pickett	Wedemeyer
Esch	Kendall	Post	White
Falson	Kennedy	Pray	Willis
Fitzgerald	Kinkaid, Nebr.	Prince	Witherspoon
Focht	Knowland	Prouty	Wood, N. J.
Foss	Kopp	Rainey	Young, Kans.
Foster	Korbly	Rauch	Young, Tex.

NAYS—119.

Adair	Cooper	Hamill	Madden
Aiken, S. C.	Dalzell	Hamlin	Maher
Alexander	Dickinson	Harrison, Miss.	Martin, Colo.
Allen	Dodds	Hay	Martin, S. Dak.
Anderson, Ohio	Donohoe	Heflin	Moon, Tenn.
Ashbrook	Draper	Helgesen	Moss, Ind.
Barnhart	Dupré	Henry, Conn.	Murray
Bartlett	Dyer	Holland	Needham
Blackmon	Edwards	Hughes, Ga.	Oldfield
Boehne	Ellerbe	Jacoway	Padgett
Booher	Evans	Kent	Patten, N. Y.
Bowman	Farr	Kindred	Payne
Brantley	Fergusson	Konig	Peters
Buchanan	Finley	Konop	Powers
Bulkley	Floyd, Ark.	Lee, Ga.	Raker
Burke, S. Dak.	Fornes	Lee, Pa.	Redfield
Burke, Wis.	Fowler	Lenroot	Relly
Burnett	Gallagher	Lever	Roddenbery
Byrnes, S. C.	George	Lobeck	Rothermel
Carlin	Godwin, N. C.	McCoy	Rouse
Cary	Goeke	McGillcuddy	Rucker, Mo.
Claypool	Good	McKellar	Sabath
Clayton	Goodwin, Ark.	McKenzie	Saunders
Cline	Gould	McKinney	Shackleford
Conry	Gudger	Macon	Sherwood

Smith, N. Y.	Stone	Townsend	Watkins
Smith, Tex.	Sweet	Tribble	Webb
Stanley	Taggart	Turnbull	Wickliffe
Stedman	Taylor, Ohio	Tuttle	Wilson, Pa.
Stephens, Tex.	Thayer	Underhill	

ANSWERED "PRESENT"—11.

Adamson	Dwight	Langley	Siemp
Dent	Haugen	Mann	Talbott, Md.
Driscoll, M. E.	Hull	Plumley	

NOT VOTING—136.

Ames	Dickson, Miss.	James	Pujo
Andrus	Difenderfer	Johnson, Ky.	Randell, Tex.
Anthony	Doremus	Jones	Ransdell, La.
Austin	Doughton	Kahn	Rayburn
Ayres	Estopinal	Kinkead, N. J.	Richardson
Bartholdt	Fairchild	Kitchin	Riordan
Bates	Ferris	Lamb	Roberts, Mass.
Bell, Ga.	Fields	Langham	Roberts, Nev.
Berger	Flood, Va.	Lawrence	Robinson
Borland	Fordney	Legare	Rodenberg
Bradley	Fuller	Levy	Rucker, Colo.
Brown	Gardner, Mass.	Lindbergh	Scully
Burgess	Gardner, N. J.	Lindsay	Sharp
Burke, Pa.	Gillett	Linthicum	Sheppard
Burleson	Glass	Littleton	Simmons
Calder	Goldfogle	Longworth	Slayden
Callaway	Graham	Loud	Small
Campbell	Greene, Mass.	McCall	Smith, Cal.
Cannon	Griest	McCreary	Sparkman
Clark, Fla.	Hanna	McHenry	Stack
Connell	Hardwick	McMorran	Sulzer
Covington	Harris	Mays	Switzer
Cox, Ind.	Harrison, N. Y.	Miller	Taylor, Ala.
Crago	Hartman	Moon, Pa.	Taylor, Colo.
Cravens	Hawley	Moore, Pa.	Thistlewood
Crumpacker	Hayes	Moore, Tex.	Underwood
Curley	Heald	Mott	Vreeland
Currier	Henry, Tex.	Norris	Weeks
Curry	Hensley	O'Shaunessy	Whitacre
Davidson	Hinds	Palmer	Wilder
Davis, Minn.	Hobson	Parran	Wilson, Ill.
Davis, W. Va.	Houston	Patton, Pa.	Wilson, N. Y.
De Forest	Howard	Porter	Woods, Iowa
Denver	Hughes, W. Va.	Pou	Young, Mich.

So the amendment was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. UNDERWOOD with Mr. MANN.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. PUJO with Mr. McMORRAN.

Mr. RIORDAN with Mr. ANDRUS.

Mr. FORNES with Mr. BRADLEY.

Mr. GLASS with Mr. SLEMP.

Until further notice:

Mr. HOWARD with Mr. HAUGEN.

Mr. DIFENDERFER with Mr. MCCREARY.

Mr. DENT with Mr. DAVIS of Minnesota.

Mr. MAYS with Mr. THISTLEWOOD.

Mr. LITTLETON with Mr. DWIGHT.

Mr. HULL with Mr. LAWRENCE.

Mr. CLARK of Florida with Mr. LANGHAM.

Mr. HOUSTON with Mr. MOON of Pennsylvania.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. SPARKMAN with Mr. DAVIDSON. (Not transferable.)

Mr. COX of Indiana with Mr. REYBURN.

Mr. FIELDS with Mr. LANGLEY.

Mr. TALBOTT of Maryland with Mr. PARRAN.

Mr. KITCHIN with Mr. OLMSTED.

Mr. SHEPPARD with Mr. BATES.

Mr. GRAHAM with Mr. HUGHES of West Virginia.

Mr. POU with Mr. ROBERTS of Nevada.

Mr. TAYLOR of Alabama with Mr. RODENBERG.

Mr. SLAYDEN with Mr. WOODS of Iowa.

Mr. WILSON of New York with Mr. VREELAND.

Mr. TAYLOR of Colorado with Mr. SWITZER.

Mr. SULZER with Mr. SIMMONS.

Mr. SMALL with Mr. YOUNG of Michigan.

Mr. ESTOPINAL with Mr. GILLETT.

Mr. DOUGHTON with Mr. GARDNER of New Jersey.

Mr. SHARP with Mr. WILSON of Illinois.

Mr. RUCKER of Colorado with Mr. WILDER.

Mr. ROBINSON with Mr. ROBERTS of Massachusetts.

Mr. RICHARDSON with Mr. PORTER.

Mr. RANDELL of Texas with Mr. PATTON of Pennsylvania.

Mr. O'SHAUNESSY with Mr. MOTT.

Mr. MOORE of Texas with Mr. MOORE of Pennsylvania.

Mr. LINTHICUM with Mr. MILLER.

Mr. LEVY with Mr. LOUD.

Mr. LEGARE with Mr. LONGWORTH.

Mr. LAMB with Mr. HINDS.

Mr. KINKEAD of New Jersey with Mr. HEALD.

Mr. JOHNSON of Kentucky with Mr. HAYES.

Mr. HENRY of Texas with Mr. HARTMAN.

Mr. HARRISON of New York with Mr. HARRIS.

Mr. HARDWICK with Mr. CAMPBELL.
 Mr. GOLDFOGLE with Mr. GRIEST.
 Mr. FERRIS with Mr. GREENE of Massachusetts.
 Mr. DOREMUS with Mr. FORDNEY.
 Mr. DICKSON of Mississippi with Mr. FULLER.
 Mr. DAVIS of West Virginia with Mr. DE FOREST.
 Mr. CURLEY with Mr. CURRY.
 Mr. CRAVENS with Mr. CURRIER.
 Mr. CONNELL with Mr. CRUMPACKER.
 Mr. CALLAWAY with Mr. CRAGO.
 Mr. BURLESON with Mr. CANNON.
 Mr. BROWN with Mr. BURKE of Pennsylvania.
 Mr. BORLAND with Mr. AUSTIN.
 Mr. BELL of Georgia with Mr. ANTHONY.
 Mr. AYRES with Mr. AMES.
 April 29, from 12 to 3 o'clock:
 Mr. FLOOD of Virginia with Mr. BARTHOLDT.
 From April 27, ending Tuesday, April 30:
 Mr. JONES with Mr. MICHAEL E. DRISCOLL.
 Ending May 1:

Mr. BURGESS with Mr. WEEKS.
 Mr. COVINGTON with Mr. CALDER (room).

Ending May 2:

Mr. PALMER with Mr. KAHN.

Ending May 4:

Mr. HENSLEY with Mr. HANNA.

From April 17 and ending two weeks hence:

Mr. JAMES with Mr. MCCALL.

Mr. MANN. Mr. Speaker, I voted "yea"; but I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to change my vote from "yea" to "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. MANN, and he voted "Present."

The result of the vote was announced as above recorded.

A quorum being present, the Doorkeeper was directed to open the doors.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. REDFIELD, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. The Doorkeeper will open the doors, and further proceedings under the call will be dispensed with.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. McMORRAN, for one week, on account of important business.

To Mr. JOHNSON of Kentucky, indefinitely, on account of sickness in his family.

POST OFFICE APPROPRIATION BILL.

Mr. MOON of Tennessee. Mr. Chairman, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21279, the Post Office appropriation bill.

MINORITY VIEWS ON CERTAIN HOUSE BILLS.

Mr. STERLING. Mr. Speaker, will the gentleman withhold his request for a moment while I ask unanimous consent? Mr. Speaker, I ask unanimous consent to file the views of the minority on the bill from the judiciary relating to contempt of court. (H. R. 22591; H. Rept. 613, pt. 2.)

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

RELATING TO INJUNCTIONS—VIEWS OF MINORITY.

Mr. STERLING. Mr. Speaker, I also ask unanimous consent to file the views of the minority on the bill H. R. 23635 from the Judiciary Committee relating to injunctions. I would like until Saturday morning to file those views. (H. Rept. 612, pt. 2.)

The SPEAKER. The gentleman from Illinois asks unanimous consent to have until Saturday morning for the minority of the Committee on the Judiciary to file its views on the bill H. R. 23635, the injunction bill. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. GREGG of Pennsylvania. Mr. Speaker, on last Wednesday leave was given to my colleague, Mr. DIFENDERFER, to extend his remarks upon the Alaskan local self-government bill.

He is now sick, and I ask unanimous consent that five days more be given him in which to extend his remarks.

The SPEAKER. The gentleman from Pennsylvania [Mr. GREGG] asks unanimous consent that his colleague [Mr. DIFENDERFER] shall have five legislative days in which to extend his remarks on the Alaskan legislative bill. Is there objection? [After a pause.] The Chair hears none.

POST OFFICE APPROPRIATION BILL.

The SPEAKER. The question is on the motion of the gentleman from Tennessee that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21279, the Post Office appropriation bill, with Mr. HAY in the chair.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Missouri [Mr. SHACKLEFORD].

Mr. SHACKLEFORD. Mr. Chairman, I had hoped that it would not be necessary for me to further discuss this amendment, which I had the honor to introduce. However, since the fight against the proposition has not remained in this House, but has been carried to the press, I feel constrained to say a few words more. I hold in my hand an editorial published yesterday in the Washington Times which severely arraigns those of us who favor my amendment. I believe that every gentleman who opposes the bill on this floor has his argument fully stated in this editorial, and therefore in replying to the editorial it will be a reply to them. Nothing so tends to promote civilization as newspapers and roads, provided they are good roads and square newspapers. [Applause.] I do not know why the Washington Times has found it necessary to devote so many editorials to this proposition. I do not know who is stimulating that paper to do this. Evidently it has had some sort of stimulation. It has very carefully and very succinctly reproduced the arguments of gentlemen who have spoken against this bill upon the floor, and if it were not for the high character of those Members of Congress I might assume they had clandestinely gotten these things into the columns of this paper through some friendly reporter or otherwise. [Applause.] Or it may be that the owner of the Washington Times, who is a magnate in the Steel Trust and interested in manufacturing automobiles, prefers a different sort of a road scheme, one which will promote the sales of automobiles. They do not want money spent on dirt roads, so they can have the more left [applause] to build that famous highway we have heard so much about, leading from Boston on down by New York, Philadelphia, Washington, Pittsburgh, Chicago, Denver, and along to the Golden Gate, in order that automobile travelers can ride along in pleasant pastime while the farmers travel over mud roads to get to the railway station.

I will read this editorial by paragraphs and comment as I go:

THE GOOD ROADS PROBLEM.

The scheme pending in Congress to pay rent to local authorities for the use of roads over which rural mail carriers deliver mail is represented by its advocates to be a good-roads measure.

That much of the article is true.

It is their purpose to pillory such sensible and courageous Members of Congress as oppose it as opponents of good roads. This is the danger in this most vicious piece of legislation.

Mr. Chairman, who is trying to "pillory" anybody? If there is a man on this floor who is opposed to this bill I commend to him the honest policy of getting up and saying, "I am opposed to it; I am going to give it a square fight and defeat it if I can." I would not, if I could, "pillory" any man for making a direct fight against this measure. I can not look otherwise than with disfavor on those gentlemen who say, "I am for your bill, but I want to put such oblique amendments to it that it will look like a crazy quilt when we get through with it."

"Pillory?" This paper is "pillorying" everybody who is willing to vote for anything that it calls a "dirt road." It wants no money wasted on the dirt roads of the people, so there may be a larger amount left to build cross-continent automobile roads.

The bill says not one word about spending this money for building, improving, or maintaining roads. It merely gives the money to the local authority or, in the case of turnpike companies, to the private corporation that owns the road.

Mr. Chairman, not a letter or line of this bill says anything about compensation to a private turnpike company. Why did not this editorial tell the truth? This false statement was for the evident purpose of misleading Members of the House. The Government is already paying private turnpike companies for the use of their roads. Some gentlemen complain when we propose to do for the counties and States the things we are already doing for the private turnpike companies, ferry com-

panies, and toll-bridge companies. Why should not the Government be as liberal with the States and counties as it is with the private turnpike companies?

It will cost \$18,000,000 the first year and soon will mount up to an annual charge of \$50,000,000 or \$60,000,000.

Whoever inspired that misrepresented the bill. If every road in the United States over which rural mail is carried were immediately put in condition described by this bill, it would not then amount to \$18,000,000. The probabilities are that the first year this bill would cost \$5,000,000 or \$6,000,000. It would grow rapidly from year to year until post roads are all improved. Within five or six years it would probably reach an appropriation of \$17,000,000 or \$18,000,000 per year. Why not fight it fair? Why not tell the truth?

It is said on the authority of the best highway engineers in the country that to properly maintain all the roads of this country at the state of perfection of the English country roads would cost more than the total value of the grain crops of the country.

The Times and some Members of this House do not want a system of roads that goes around to all the people who pay for them. What they want is that all the people shall be taxed to build a few fancy roads for a few fancy people and then let the rest of the people build for themselves the roads they need or do without.

Local road builders may discriminate and build roads first where they will be most useful and where they are most needed, avoiding this crushing expense, but to follow the rural mail carriers will be to erect a road system without any plan or any purpose, and yet to drain the Treasury of untold hundreds of millions.

Why do they not say "billions"? I remember one time when I was a little fellow I was telling some story that was hardly warranted by the facts; an old neighbor patted me on the head and said, "DORSEY, don't ever be a liar, but if you will start out on that nefarious line, do not be a little liar. Be a whopper." [Laughter.] Whoever inspired this editorial must have heard my old friend give me that admonition, and when he started in to criticize this bill he concluded he would tell a "whopper." In 10 years this bill would not reach \$20,000,000 a year.

But this measure, advanced by the 28 dirt-road statesmen, doesn't contain one word that directs one cent of these millions of dollars to be spent on the roads.

Aye, that is a familiar sound. I think I have heard that before in the corridors and cloakrooms of this Capitol. I think I have heard it when sitting around the hotel offices. What is there to it? It is simply another unfair assault on an honest measure that is before this House, demanding the attention of Congress:

This measure * * * does not contain one word that directs one cent of these millions of dollars to be spent on the roads.

No. Why? Because this bill provides that not one dollar shall be paid to any State or county until that State or county has already spent the money necessary to make the road. And then after the State or county has gone to the expense of building the road, has gone to the expense of maintaining it for a year, then and not till then the Government pays a toll for the use it has already had. The measure was written in this form because it was desired to leave the States and civil subdivisions thereof in full control of their own roads.

We want every State and every county and every municipality to say for themselves where their roads shall be built, to say of what material they shall be built, and in what condition they shall be kept. The Government will only have to say whether a given road comes up to the specifications prescribed, and if so, to pay its reasonable share for the use of that highway in the exercise of its Federal function of transporting the mail.

Mr. Chairman, I read further from this document on the subject of "dirt-road statesmen." Now—

Mr. HARDY. Mr. Chairman, a gentleman here has suggested to me that a turnpike road in his district received a compensation from the Federal Government for the use of that road of \$5 per annum. Just to illustrate for a moment. Is it proposed under this bill that a road like that would get \$25 per mile per annum?

Mr. SHACKLEFORD. No; it is not.

Mr. Chairman, reading further from this editorial:

The only purpose is to take money out of the Treasury to be spent in the districts to enable some Members of Congress to brag that they are good appropriation getters.

If that were the truth about me, then I were an odious man. If that were the truth about any other Member of this House, then he were a corrupt scoundrel and ought to be put in another place than on this floor. But it is not the truth. It is a contemptible attempt to "pillory" Members so they shall be afraid to support this measure, which they favor.

That this is its evident purpose is proved by the fact that this bill, which is not a bill, but a rider on an appropriation bill, has been so

handled that it can be known by different names in different States. In Tennessee it may be the Byrns bill, in Iowa the Prouty bill, in Missouri the Shackelford bill, in Kansas the Campbell bill, and so on.

Mr. Chairman, I can not for the life of me understand how a Member experienced in this House should let his eyes turn green with envy because some other Member has credit for having written or helped to write this or any other bill. "The Byrns bill"—that refers to my handsome friend, JOE BYRNS, of Tennessee. I have never heard that JOE BYRNS ever claimed, in Tennessee or elsewhere, to be the author of this bill; but in justice to Mr. BYRNS and in order that the country and the good people of Tennessee should understand the truth I must say that JOE BYRNS helped to put this bill into shape. His thought had as much to do with it as that of any other man, and it was due to his efforts alone that this bill was put in such form that the classes A and B were made to conform in width to the good roads of Tennessee and some other States.

Missouri is proud of JOE BYRNS. Why should not Tennessee be? Then there is my good friend MCKELLAR, of Tennessee, representing the Memphis district. If he will step up and say, "I am one of the authors of this bill," it will not be humiliating to me. It will simply be the plain, unvarnished truth. Indeed, Tennessee has had much to do with putting this measure forward. MOON, AUSTIN, HULL, SELLS, MCKELLAR, and BYRNS have all done their part and done it well. Twenty-five or thirty men wrote this bill together. "The Prouty bill"—yes; Judge PROUTY, of Iowa, I would say, also helped to frame this bill. What better man than he could be found to aid in such a work. [Applause.] Better than all, the solid Iowa delegation is backing the bill which he helped to prepare.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from New York?

Mr. SHACKLEFORD. I regret I have not the time. I can not. I wish I could.

"The Campbell bill"—the gentleman from Kansas helped to write this bill, as did also Mr. TAGGART, Mr. NEELEY, and Mr. ANTHONY. All over this country the advocates of good roads got together in response to the Democratic and Republican national platforms. They put aside all pride of authorship and devoted patient labor to the preparation of this measure. Is it any worse for that? Others who neglected to give attention to the needs and demands of the people are now consumed with envy for fear somebody else will get credit for duty performed.

To cripple this bill they have gotten up and offered all sorts of amendments to make it odious. They do not fight it openly. Why? Because the people would not tolerate an open attack.

The editorial which I have been reading from says we are voting for this measure because we know the Senate will not pass it. That is not the truth. The Frank Munsey paper down here thinks that the Senators are plutocrats and aristocrats, and that they will not vote for what people want; that they would vote appropriations for transcontinental automobile roads, but nothing for their dirt-road constituencies. There are just as patriotic men in the Senate as in the House; they will stand up and faithfully represent their dirt-road constituents just as faithfully as will we. [Applause.] I am not afraid of the Senate. I have an abiding faith that this will be law.

It is said that the States and counties do not ask for it. They do. I said the other day, and I repeat it now, that the only way that any constituency can properly ask for anything is through the mouth of its Representative upon this floor. The people of my district are asking for it now, through my voice. The people of the other States are asking for it through their Representatives, who are authorized to speak for them on this floor. Do the people of my State want this legislation? Here they stand, every member of the delegation answering "yes." Do the people of Ohio want this legislation? The answer is "yes," given by Messrs. ALLEN, COX, GOEKE, ANSBERRY, WILLIS, SHERWOOD, SWITZER, CLAYPOOL, TAYLOR, ANDERSON, SHARP, WHITE, ASHBROOK, WHITACRE, BATHRICK, and HOWLAND. These men are commissioned to speak for the people of that great State, and they are demanding the passage of the bill. Every Member here has been empowered to speak for his constituents. Three-fourths of the Members thus empowered are asking for the passage of this bill. Then who shall say the people are not asking for the passage of this bill?

Mr. Chairman, this is a good bill, and I say it not because I have pride in its authorship, but because 30 or 40 Members who have studied the subject of good roads have laid their pride of authorship aside and have all gotten together and executed this excellent piece of work. They have done it without any hope of getting vainglory out of it. They have labored that the people of this blessed country should have the civilizing influences of easy and convenient ways of travel.

Mr. Chairman, in derision the advocates of this measure have been called "knights of the dirt roads." Sir, there is no discredit, but honor, in that title. It had never been my hope nor my ambition to belong to the nobility, but I accept with ardor the appellation "knight of the dirt roads." There are more than 250 Members of this House who are as ardently for this bill as am I. I hail these Members as brothers, "sir knights of the dirt roads." Let our coats of arms be a highway laying across a plain and down a valley, with happy homes dotted along its way. This coat of arms will foreshadow the beneficent results which we had in mind when we fought for this bill.

These roads will enable our farmers to get their products to market more promptly and cheaply, thus giving to the consumer his food fresher and at lower cost. These roads will give to our rural communities better schools and churches. These roads will give our farmers more opportunities for the benefits and joys of social intercourse. These roads will turn the tide from the cities back to the farms. With such a system of good roads more than ever will the farm be the nursery in which will be reared the leaders of our civilization. Future generations will rise up to bless the "knights of the dirt roads."

Mr. SIMS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment to the amendment, which the Clerk will report.

Mr. SIMS. It is to come in after the words "this act."

The Clerk read as follows:

After the words "this act," in the amendment, insert the following: "That for the purposes of this act all highways of the several States and the civil subdivisions thereof, or any part of same, used by the United States for the purpose of transporting rural mail, in addition to the roads hereinbefore mentioned and described, are hereby declared to be post roads; that the Postmaster General, under such rules and regulations as may be provided by him, by and with the cooperation and consent of the State and county or other local authority having charge of the construction, operation, and maintenance of such roads shall, by contract or otherwise, cause all such roads or parts of roads not so improved by said State or local authority to be provided with ample side ditches so constructed and crowned as to shed water quickly into the side ditches, and be continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means."

Mr. LEVER. I make the point of order on that.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. LEVER. I make the point of order that the amendment offered by the gentleman from Tennessee [Mr. SIMS] is not germane to the amendment made in order by the Committee on Rules.

Mr. SHACKLEFORD. Before that is passed on I should like to have the opportunity to say a word.

Mr. LEVER. Mr. Chairman, I should like to be heard on that. The bill reported by the Committee on Rules and made in order on this bill is framed on the theory of paying rents to local communities for the use of the property of the local community. The amendment proposed by the gentleman from Tennessee [Mr. SIMS] is an absolutely antagonistic proposition, built up upon the theory that the Federal Government itself should construct the post roads of the country, or the roads used for the delivery of rural mail upon them. It seems to me that the two propositions are so opposite, so entirely antagonistic, that the one can not be germane to the other. I therefore make the point of order.

Mr. FITZGERALD. Mr. Chairman, under the rule adopted by the House I insist that it is not necessary for an amendment to be germane. If the Chair will refer to page 4 of the rule which was adopted, he will see that it reads:

It shall also be in order, notwithstanding the general rules of the House, to consider in connection with said H. R. 21279 the following—

And then appears the provision which is now pending as an amendment.

One of the general rules of the House which is waived by the adoption of the rule reported from the Committee on Rules is subdivision 7 of Rule XVI, which provides that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Under the general rules of parliamentary procedure amendments need not be germane. Any amendment proposed to a pending proposition can be considered by the body in which it is submitted.

It is a general rule long in force in the House of Representatives that no amendment shall be considered unless it be germane to the proposition under consideration; but the House having, by the adoption of a special rule for the purpose of the consideration of this provision, provided that the general rules of the House shall not interfere with the consideration, any amendment proposed, whether germane or otherwise, is proper to be considered by the committee.

If this construction be not given to the special rule, then the words "notwithstanding the general rules of the House" must

be construed to mean nothing. Without these words the provision would have been in order under the special rule. The inclusion of them, if they are given effect, is to take from the operation of other rules the provision during its consideration.

Mr. SHACKLEFORD. Mr. Chairman, the point of order I make against the amendment is not that it is against the rules, but the amendment which I offered provides that the United States shall, in certain cases, make compensation to the States and civil subdivisions thereof for the use of their roads, but makes no provision whatever for constructing roads by the Government. The amendment of the gentleman from Tennessee provides that in certain cases the United States shall construct post roads. Clearly, a provision to construct post roads is not germane to a provision to rent post roads.

Mr. SAUNDERS. Mr. Chairman, I wish to submit that the proposition advanced by the gentleman from New York [Mr. FITZGERALD] can not possibly be well taken. The rule, by its very terms makes the good-roads amendment in order, the general rules of the House to the contrary notwithstanding, as the lawyer's phrase runs, but it goes no further. The rule can not possibly operate to make all amendments to the amendment in order, and provide that they shall have immunity from the operation of the general rules of the House. Unless there is something in the special rule itself to make that true, the point raised by the gentleman from New York [Mr. FITZGERALD] is obviously not well taken. The rule applies exclusively to the roads amendment. This amendment is now in order, whatever the general rules of the House may provide. These rules can not be invoked to prevent this body from considering in Committee of the Whole, this particular amendment relating to good-roads amendment. This being so the operation of the rule stops at this point, and the rules of the House will apply to all amendments that may be offered to this particular amendment.

There is nothing in the report of the Committee on Rules which gives immunity to amendments to this amendment, and provides for their consideration, irrespective of the general rules. I think that the mere reading of the rule makes this obvious. What provision of the report of the Committee on Rules, or portion of its language, can be appealed to in support of the proposition that any amendment, however lacking in germaneness, may be offered in order to this particular proposition? Would Schedule K be in order?

I submit, as I said in the beginning, that the point of the gentleman from New York is obviously not well taken, and that although it is true that no point of order may be relied upon, or called into play to prevent this committee from considering the roads amendment, yet amendments to this amendment are subject to the general rules of the House prevailing in Committee of the Whole. The amendment of the gentleman from Tennessee is not in order unless it is germane. On this point I have nothing to say.

Mr. FITZGERALD. Mr. Chairman, I wish to call the attention of the Chair to the language of the rule:

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 21279, a bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, to consider the new legislation on said bill hereinafter mentioned, notwithstanding the general rules of the House.

There is one rule which if it were desired to waive could have been expressly waived, but the House waived the general rules of the House. The gentleman from Missouri [Mr. SHACKLEFORD] is very much mistaken when he says that under general parliamentary law an amendment must be germane. I have here a decision, paragraph 5825, volume 5, Hinds' Precedents, wherein it was expressly held that under the common parliamentary law amendments need not be germane. It is only the general rule of the House prohibiting the consideration of amendments unless they be germane that makes it possible to shut out amendments if they be not germane. This rule provides for the consideration of new legislation, notwithstanding the general rules of the House. A particular rule that would prohibit new legislation is not waived, but all the general rules of the House that would apply to such matters.

Mr. LEVER. Mr. Chairman, does the gentleman from New York think that a tariff bill would be in order under this rule as an amendment to this proposition?

Mr. FITZGERALD. There is no doubt whatever, if my contention be correct, to be perfectly frank with the gentleman, that any amendment is in order at this point in the bill. I do not wish to weary the Chair by reading the decision to which I have just referred, but in that decision, made by Mr. Speaker Carlisle, he said:

In the absence of an express rule the amendment would not be liable to a point of order upon the ground that it was inconsistent with or

not germane to the subject under consideration, for, according to the common parliamentary law of this country and of England, a legislative assembly might by an amendment, in the ordinary form or in the form of a substitute, change the entire character of any bill or other proposition pending.

Mr. SAUNDERS. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. SAUNDERS. I would suggest that in order for this rule to have the meaning which the gentleman is seeking to give it, the rule itself would have to contain a provision to this effect, that the Shackelford amendment, per se, and all amendments thereto, shall be in order without regard to the general rules of the House, and it contains nothing of the sort, either in direct terms, or by necessary implication.

Mr. FITZGERALD. Oh, no; the rule provides for the consideration of the amendment.

Mr. SAUNDERS. Yes.

Mr. FITZGERALD. Of the provision. It does not say the Shackelford amendment.

Mr. SAUNDERS. Yes, we stand on the precise terms of the rule relating to the Shackelford amendment.

Mr. FITZGERALD. And it can not be construed as the gentleman would seem to seek to have it construed, that consideration of a provision means discussion, futile discussion, without any opportunity to amend. The most vital thing about consideration is the opportunity to amend.

Mr. SAUNDERS. I will say that we do not gainsay the right of amendment, but the amendments must come within the operation of the general rules of the House.

Mr. FITZGERALD. But the general rules of the House do not apply, as the rule specifically provides—

That after the adoption of this rule it shall be in order * * * notwithstanding the general rules of the House.

That must apply to a part of the provision as well as the entire provision itself.

Mr. ALEXANDER. Mr. Chairman, in the absence of this rule this provision would have gone out on a point of order, for the reason that new legislation of this character may not be considered on an appropriation bill. The only effect of the rule is to provide that this proposition may be considered on an appropriation bill. It comes before this House to all intents and purposes as an original proposition, and the rule of the House to the effect that no amendment may be in order unless it be germane to that proposition applies. The language of the rule itself is:

That after the adoption of this rule it shall be in order in the consideration of H. R. 21279 * * * to consider the new legislation on said bill hereinafter mentioned notwithstanding the general rules of the House.

What does that mean? Simply that this proposition, this new legislation, which otherwise would not be in order, may be considered. It comes before the House to all intents and purposes as an original proposition, as if the bill itself were pending before the House. Hence when the amendment of the gentleman from Tennessee [Mr. SIMS] is offered, the question for the Chair to determine is whether or not it is germane to the bill, whether it could have been considered if the original bill, which is set out in this rule, were now under consideration. To my mind, the Sims amendment presents an entirely different proposition from the original proposition presented in the Shackelford bill that we are entitled to consider under the rule, hence is not germane and for that reason not in order.

Mr. SIMS. Mr. Chairman, in addition to what was said by the gentleman from New York [Mr. FITZGERALD], that the special rule which is adopted makes it in order to offer an amendment to the Post Office appropriation bill that would not otherwise be in order to be offered, I desire to say this: Now, then, if an unauthorized amendment is made in order on the Post Office appropriation bill by sweeping aside all the rules of the House, then I want to know what rule is to be invoked when you come to amend that amendment? I think the argument is conclusive. Let us suppose that it is not, and it is only a question of germaneness. Now, what is the object of this bill? First take this bill as reported. The object and purpose of the measure, of course, is gathered from its face and its language, but at the same time we must look at the effect of the bill and see what the intention of the bill is. Why, I do not suppose there is a gentleman in this House who seeks to pay rent for roads already improved with no other purpose in view. I think that is not your object. Your object is to offer rent for roads for use of rural carriers of a certain class with a graded rental, showing clearly on the face of it that the object of the bill is to induce the improvement of roads from a lower to a higher class by offering the higher pay for the higher class, with minimum pay for the lowest class. That is the intent and purpose of this bill, and there is no use in denying that. You have that in view and it is not discreditable at all. It is to induce the people in

the counties and communities through which the rural-carrier roads are now in existence with their own means to improve the roads so used below class C as to bring them up to class C and get the rental. There is not a man in this House who will contend for a moment that the object and purpose of this bill is not to induce the further improvement of roads; therefore the real motive and purpose is the improvement of roads that need improvement, to aid in the improvement by the Government of State highways used by a Government functionary—the mail carrier.

Now, the amendment I offer does not contravene, supersede, or set aside any provision of the bill; not one; but in addition to the roads constructed for which rental shall be given it provides that the Postmaster General, with the cooperation and consent of the State and local authorities having charge of such roads, is authorized to improve the roads up to class C, and when they are so improved they will fall under the rental of class C.

Mr. BYRNS of Tennessee. Will the gentleman yield for a question?

Mr. SIMS. Yes.

Mr. BYRNS of Tennessee. Is there not a distinct difference between the amendment offered by the gentleman from Missouri and the amendment offered by the gentleman from Tennessee? In other words, is it not a fact that the amendment offered by the gentleman from Missouri provides for renting roads or compensating for their use, while the amendment of the gentleman from Tennessee provides for building roads in order to put them in condition to secure advantage of the rental?

Mr. SIMS. Absolutely; the gentleman makes a clear statement.

Mr. BYRNS of Tennessee. Then I fail to see how the gentleman's amendment can be germane to the amendment offered by the gentleman from Missouri.

Mr. SIMS. Absolutely; the object, purpose, and motive—and we determine the motive by the result—of the amendment offered by the gentleman from Missouri is to improve roads below one grade to a higher grade as an inducement to get a higher rental.

Mr. BARTLETT. Will the gentleman yield for a question?

Mr. SIMS. Yes.

Mr. BARTLETT. The gentleman's amendment, I think, is germane, but does he provide for the United States Government improving those roads by and with the consent of the local authorities having charge of the work of improving the roads? Had not the gentleman's amendment better provide with the consent of the State which has the control of their roads and in whom the title of the public roads rests?

Mr. SIMS. It contemplates having the consent of the controlling authority, whether it be State, county, or municipal. It also provides that. Now, I do not encroach on a particle of that authority. My amendment is that the Federal officers, in conjunction with the State authorities, shall use Federal money collected by Federal taxation to improve the rural routes solely on the ground that they are used for Federal purposes. There is no use in dodging it. The object is the same.

Mr. BUTLER. While my question does not touch upon the question of order, can the gentleman tell me how much it will cost the Federal Government, or has the gentleman considered how much it will cost the Federal Government?

Mr. SIMS. I have not.

Mr. BUTLER. Can the gentleman give an idea what it will cost?

Mr. SIMS. That is not germane to the discussion of this point of order.

Mr. BUTLER. I know it is not.

Mr. SIMS. Now, Mr. Chairman, I think, on the ground of the statement that the whole matter is being considered under a special rule authorizing it and all amendments to it, that the question of germaneness is not subject to a point of order under general parliamentary law.

Mr. LEVER. Will the gentleman yield for a question?

Mr. SIMS. Certainly.

Mr. LEVER. I would like to ask the gentleman from Tennessee if under this rule provided by the Rules Committee it would be in order to bring in the naval appropriation bill as an amendment to this proposition?

Mr. SIMS. Now, I do not think the Chair needs any enlightenment that would come from answering such a question.

Mr. HILL. I am clearly of the opinion myself that the amendment is germane, and it seems to me, the subject having been made legal and brought on this bill by the rules, any other ruling would prevent any other amendment whatever on this subject.

I did not rise to merely express that opinion. I did rise to extend to my friend from Missouri [Mr. ALEXANDER] my most profound congratulations, a year after his famous decision during the extra session, when he ruled while it was possible to lower a tariff rate on a pending bill it was not possible, because it was not germane, to transfer it to the free list. I thought that would come up to trouble him and his side in the future, but inasmuch as he has reversed his opposition and nullified the decision of last April I think we ought to take courage from his opinion.

Mr. MANN. Mr. Chairman, the rule provides that it shall be in order to consider the proposition which has been offered as an amendment by the gentleman from Missouri [Mr. SHACKLEFORD]. That proposition is now offered as an amendment under the rule. If the rule had not made it in order to offer it, the proposition would be subject to a point of order.

I can not agree with the gentleman from New York [Mr. FITZGERALD] that any amendment to the amendment of the gentleman from Missouri is in order without regard to whether it is germane to the subject matter of the amendment. But what is the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD]? It is known as the good-roads proposition. It is a proposition to classify roads in the country and to pay compensation for their use at varying rates; that is, pay compensation for the use of part of them. It divides roads practically into four classes and proposes to pay compensation for the use of three of the classes. Now, it seems to me that it would be perfectly in order as a germane amendment to provide that, instead of paying compensation for the use of a road, we should pay for the repairs on the road. They should authorize the expenditure either directly under an officer of the Government or to pay the money over to county or highway officials to expend on repairs to the road, because that, in reality, is the purpose of the proposition. It is to convey money to people charged with the care of roads by which they will be able to in part maintain the roads in good repair, and if that is the case certainly it would be in order as a germane amendment to provide that we should pay directly for the repair of the roads.

of a road—an amendment to a bill whose purpose is to pay an interrupt him, I will say the amendment against which they raised the point of order does not provide for paying anything. It provides for putting an amendment on this bill for the Government to go out and construct or aid in the construction of a road—as amendment to a bill whose purpose is to pay an annual rental for the use of roads. They are totally unlike propositions.

Mr. MANN. I will say to the gentleman now that in my judgment it is clearly germane to say that, instead of paying rent for the use of roads in order that those who receive the rental can repair the roads, we should pay the money directly to them with which to repair the roads, and say so.

Mr. SHACKLEFORD. One question there?

Mr. MANN. Certainly.

Mr. SHACKLEFORD. This bill does not provide we pay the money to the county to repair the roads. We just pay it for the use the Government has already had on the day the payment is made. And that is all it does.

Mr. MANN. I understand what the bill provides. The bill does not provide that the money shall be used for the repair of the roads. No man in this House will for a moment justify voting for any proposition of the sort unless he couples with it in his own mind the fact that the money to be paid is to be paid really for keeping the roads in repair.

Mr. LEVER. Will the gentleman yield?

Mr. MANN. On the question of the point of order; certainly.

Mr. LEVER. I would like to ask the gentleman from Illinois, under the general rules of the House would it be in order to offer an amendment to the Post Office appropriation bill saying how the railroad companies should use the money which we pay them for transporting the mails?

Mr. MANN. Under the general rules of the House it would not be in order, because you can not change the law under the general rules of the House by an amendment on an appropriation bill, but that rule of the House is wiped out by the rule that is now before us.

Mr. STERLING. Will the gentleman yield to a question?

Mr. MANN. Certainly.

Mr. STERLING. As I understand, the money will be paid to township authorities having charge of the road fund?

Mr. MANN. Whoever the officials are who have charge of the roads.

Mr. STERLING. I do not understand that they will be bound to use the money to keep only those roads in repair on which

the mail is carried. They can use it for any road purposes in the township, can they not?

Mr. MANN. They can bury it, I suppose. There is nothing in the bill that requires them to use it at all. I suppose their local law will determine how they will use it. The money comes to them. But I say it is perfectly in order for us, when we consider the matter of paying them in one way, to provide for the payment to them in another way, and it is perfectly in order, so far as the question of germaneness is concerned, to say whether we pay it by rent or directly by repairs, because that is all a part of the same subject matter. Now, here is the amendment offered by the gentleman from Tennessee. It is to take into consideration a fourth class of roads not provided for in the bill, and having provided in the bill that we pay toll or rent for one class, a second class, and a third class, we shall then do something for class four.

Now it is certainly germane to say that if we divide roads in the United States into four classes and provide for the payment of three of them we can add and make payment for the other or fourth class. Having that right we have the right to say whether we will pay the money directly or whether we shall provide that it shall be expended in the way provided by the amendment.

While I do not know whether the amendment ought to prevail, and doubt the desirability of extending the class, still, so far as the question of germaneness is concerned, I do not see how there is any escape from the proposition that the amendment offered is germane to the proposition in the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD].

Mr. CANNON. Mr. Chairman, a word touching the point of order. I have listened to my colleague from Illinois upon this point of order. This special rule, in my judgment, serves one purpose only. It sets aside for the purpose of this amendment the rule of the House which prevents legislation on appropriation bills, and that is its only office.

Suppose this bill were pending as a measure by itself—"Be it enacted," and so forth—suppose that the bill which is covered by the amendment of the gentleman from Missouri were under consideration. It seems to me it would then not be considered for a moment that this amendment would be germane.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. Yes.

Mr. FITZGERALD. Suppose it was under consideration under a rule which provided that it should be considered, the general rules of the House to the contrary notwithstanding?

Mr. CANNON. What is the use of supposing a case that does not exist?

Mr. FITZGERALD. That is what the gentleman did.

Mr. CANNON. Then I did not catch the gentleman's question correctly.

Mr. FITZGERALD. I said, Suppose this provision were in the form of a bill and were being considered under a special rule to the effect that it could be considered, the general rules of the House to the contrary notwithstanding, would that mean something?

Mr. CANNON. Clearly not, in my judgment. But that is not this case. The office of this rule is to permit this amendment to be in order upon an appropriation bill, and when this rule was under discussion I recollect that the question was asked, "Would not the only object of the rule be to permit amendments to be offered?" And it was further asked, "Would it be subject to any amendment that is germane?"

Now, as to whether it is germane or not, my friend from Illinois [Mr. MANN] thinks it is. We are not without plenty of authorities on this subject. I refer the Chair to page 386 of the Manual, about the center of the page:

Two subjects are not necessarily germane because they are related.

And then a number of cases are given, one almost precisely in point:

To a bill granting a right of way to a railroad, an amendment providing for the purchase of the railroad by the Government—

Is not germane. Yet the object of granting a right of way to a railroad is to get a railroad. The gentleman says the object of the proposed legislation is to improve roads. Well, that is a matter of argument. The provision speaks for itself, namely, to compensate the civil division in which the road is situated, being a post road and used in the rural mail service, for the use of that road by the Government, not to buy the road.

Oh, but the gentleman says that this provides for classes A, B, and C. Yes; but classes A, B, and C do not cover all the remainder of the roads that are not in the schedule or in those classes, and my friend from Illinois says, "Oh, well, that is true; this is a direction of the General Government to

accomplish the same object that it seeks to accomplish by the bill or amendment."

Well, now, that may be true, but it treats of an entirely new class of roads; not to pay rent for their use. They are not being used at all by rural routes; it is an entirely different class of roads.

Mr. SIMS. It is only roads that are used by rural carriers that are covered by the amendment.

Mr. CANNON. I was following my colleague from Illinois.

Mr. SIMS. Then he misled you if you followed him. It takes in roads up to class C.

Mr. CANNON. Up to class C?

Mr. SIMS. Yes.

Mr. CANNON. The object there is to take possession of the road. That renders it not germane—to spend the money of the Government upon the roads. And the case is cited to the Chair where, when a bill was pending to grant a right of way or a franchise to a road, the proposition to buy the road was held to be not germane. And it seems to me the ruling is sound.

The CHAIRMAN. The Chair is ready to rule.

Mr. LEVER. Mr. Chairman, I do not desire to weary the Chair at all, but I wish to call his attention to this situation: The Chair must decide two propositions, and the first is, Will the Chair interpret the special rule broadly or narrowly? I do not believe it was in the mind of the House in the adoption of this rule to bring in here a proposition which would permit any and every kind of a proposition as an amendment to this proposition.

If that were the case, as admitted by the gentleman from New York and the gentleman from Tennessee, then we might offer the naval appropriation bill to this section provided by the rule, and it would be in order. We might also offer the steel schedule, the woolen schedule, or any other unrelated matter.

I take it that the Chair is going to construe this rule liberally and carry out the intention of the House, which was to make this legislation in order on an appropriation bill—legislation that would not have been in order except for this special rule. Beyond that, it seems to me, the Chair can not go without construing this rule too narrowly to bring it within the bounds of common sense.

Mr. HILL. Will the gentleman yield for a question?

Mr. LEVER. Yes.

Mr. HILL. If the gentleman's position is sustained, would it be possible to enlarge the parcel-post provisions of this bill by offering an amendment for a full parcel post?

Mr. LEVER. Unless the amendment is absolutely germane to the proposition, it can not be considered.

Mr. HILL. Would not such an amendment be germane?

Mr. LEVER. I think it would be.

Mr. HILL. Then why is not this germane here?

Mr. LEVER. For this reason: That the proposition made in order by the Committee on Rules deals with the question of compensation for the use of the roads. The amendment suggested by the gentleman from Tennessee [Mr. SIMS] deals with the proposition of constructing roads out of Federal funds, two propositions as antagonistic as day and night, and which can not be germane to each other. Now, if the Chair is to decide this proposition broadly, construing this rule liberally, then the Chair must decide whether the amendment offered by the gentleman from Tennessee [Mr. SIMS] is germane to the proposition made in order by the special rule. This amendment proposes to build roads out of Federal funds. The amendment made in order by the Committee on Rules proposes to pay rent for the use of roads, two propositions absolutely inconsistent with and antagonistic to each other. They can not by any process of reasoning be reconciled to each other. The basic ideas upon which they rest are diametrically opposed to each other, the fundamentals in each are in complete conflict with each other, and unless two propositions are closely related I can hardly see how the Chair is to hold them germane to each other.

Mr. MANN. Will the gentleman yield for a question?

Mr. LEVER. I will.

Mr. MANN. The amendment refers only to public roads. Does the gentleman think an amendment to make it apply to private toll roads would be out of order?

Mr. LEVER. I do not, if those toll roads were used by the Federal Government for carrying the mails; but if it was for the purpose of building them it would be out of order, in my judgment.

The CHAIRMAN. It has been ruled time and again that where a paragraph proposing amendments to a general appropriation bill is out of order on that bill, but is allowed to go by without a point of order being made, or if a rule is brought in

making in order that which was not before in order, then any amendment which is germane to the proposition is in order. The question which the Chair now has to determine is as to whether this amendment of the gentleman from Tennessee [Mr. SIMS] is germane or not. After a careful examination of the amendment of the gentleman from Missouri [Mr. SHACKLEFORD], which proposes to divide the roads over which the mail is carried on rural and star routes into classes, and providing for a compensation to be paid for the carrying of the mail over those roads, to the officers entitled to the custody of the funds of the respective highways, the Chair thinks it is very clear that this rent is intended to go to the maintenance and, if those who have control of those funds choose, to the construction of additional roads. Now, the amendment of the gentleman from Tennessee [Mr. SIMS] proposes to extend that class, and provides that "any part of the same"—that is, roads used by the United States for the purpose of transporting rural mails, in addition to the roads "hereinbefore mentioned and described"—are hereby declared to be post roads; that is, the roads mentioned in the amendment of the gentleman from Missouri. And it then provides a compensation to be paid to the officers having control of these roads provided for in this proposition. And while it does say that the amount appropriated may be used for the construction of roads, yet it also provides for the maintenance of roads to be used as post roads. The Chair is clearly of the opinion that the amendment is germane, and therefore the Chair overrules the point of order.

Mr. SIMS. Mr. Chairman, I want to explain that while this amendment is printed in the Record with an appropriation of \$10,000,000, when I offered the amendment a while ago I struck out the appropriation. Consequently there is no appropriation carried in this amendment, and it is put on all fours with the rest of the amendment. Consequently, if any money is used for the building or improvement of roads, the Committee on the Post Office and Post Roads will have to provide for it as plainly as it will for the payment of the rental. Not knowing how much was necessary, the \$10,000,000 was only a guess. So I thought it was best to strike out the appropriation.

I want to explain this amendment. It is not antagonistic to a single provision of the Shackelford bill, and I can not see how any gentleman can regard it as endangering the passage of the bill. It seems to me it will strengthen it. It is in language which means what it says. It directly authorizes the Postmaster General, by and with the consent and cooperation of the State and local authorities having charge of the maintenance and construction of the roads, to improve roads below class C up to class C. Then those roads will immediately pass into the rental class, and then the amount paid each year would be fixed by the other provisions of the bill. This really strengthens the bill and makes it more defensible, and these roads that are being used by rural carriers, and that must continue to be so used, falling below class C, may be improved by and with the help of the United States Treasury. It is best to do things openly and directly. If we have got no power to use Federal taxes for the improvement of roads directly, we have no power to do it indirectly.

Mr. KENDALL. Has the gentleman's amendment been printed?

Mr. SIMS. No; it was offered a few minutes ago. The very fact that the payment of the rent is made to the authority having charge of the improvement of these roads means of itself that the money is to be used on the roads or other highways in connection with them.

Mr. BARNHART. Does the gentleman believe it would be right for the people of one section of the country to put their roads in such condition that they are in either class A, class B, or class C, by their own energy and taxation, and then the Government give to some other section of the country the help that will put its roads in the same condition?

Mr. SIMS. Those roads you refer to are already in that class.

Mr. BARNHART. They made them so.

Mr. SIMS. There are thousands of miles of roads being used for rural carriers which with the addition of either a parcel post or a postal express will have an additional Government service to perform, and the roads below class C that are so used are entitled to be made efficient for the use that will be made of them in the future under additional legislation.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Certainly.

Mr. MANN. If I understand the gentleman's position correctly, it is that the amendment as it now stands does not directly provide that there shall be any additional good roads constructed?

Mr. SIMS. No; or at least it is not mandatory.

Mr. MANN. That we just pay rent for the use of roads in order that we may deliver mail to the people?

Mr. SIMS. Yes.

Mr. MANN. And if they do not want it goodness knows we will be willing to quit. But the gentleman proposes to expend money so that there may be some additional good roads provided in the country where there are no good roads now.

Mr. SIMS. That is exactly the object of my amendment.

Mr. MANN. That will enable us to carry mail more cheaply than it is carried now.

Mr. SIMS. That is it exactly.

Mr. MANN. While the other provision does not add a dollar of benefit in that direction.

Mr. SIMS. As I said before, that on any of the roads provided for in the bill the service can be performed that is now required, or that any additional legislation may require, without further improvement, but there are thousands of miles of roads in communities that are not able to bring their roads up to where they come within the rental classes, and this is intended to bring that about.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SIMS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. PROUTY. Mr. Chairman, reserving the right to object, I would like to hear this amendment read, and I ask to have it reread.

The CHAIRMAN. Without objection, the amendment will again be reported.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The Chair hears no objection to the request of the gentleman from Tennessee.

Mr. KINDRED. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Certainly.

Mr. KINDRED. Mr. Chairman, I desire to ask the gentleman if his measure proposes that all of the roads below class C, and not included in the three classes, shall be improved to the same extent as roads in the three classes?

Mr. SIMS. No; not all roads under class C. Only roads used by rural carriers.

Mr. KINDRED. That those in class C and below class C shall be improved to the same extent as class A and class B.

Mr. SIMS. In reply I will state this, that the amendment will authorize the Postmaster General, in cooperation with the State or local authorities having charge of such roads, to improve any road now or afterwards used for Federal purposes, just as though it was in the three classes—to be improved up to where it will come within class C; that then the rent will apply, and the improvement provision will no further apply.

Mr. KINDRED. Does the gentleman propose that, without reference to what the State or county authorities may do, with reference to the roads falling under class C?

Mr. SIMS. Absolutely, because the Government of the United States builds post offices without reference to what the local authorities do. Who ever heard of the Government of the United States paying rent on a brick house for a post office, which house had ample facilities for doing the business required, and then saying to the owner, "If you will build a brown-stone house we will increase the rent, or if you will build a marble house we will still further increase the rent," as an encouragement to build good houses, without any regard for the necessity of a better building in which to discharge the duties imposed.

Mr. KINDRED. Just one more question. Does the gentleman's proposal of improving any class depend to any extent upon what the State or county authorities may do?

Mr. SIMS. None whatever; absolutely none to bring it up to class C; that is, I mean roads used for rural-mail purposes.

Mr. BUTLER. Mr. Chairman, will the gentleman pardon my curiosity, but I have a question I would like to ask. It has not been talked about, and it would be very interesting to me, whether or not it interests others, to know just what this is likely to cost the Government. My friend is a calculator, and I know him well, and I know that he reasons well and thinks well. Can the gentleman give us a reasonable idea of how much this will likely cost the Government?

Mr. SIMS. That will entirely depend on how long it takes to improve the roads needing it and how many of them are used as rural routes which are now below class C. I can not tell the gentleman, nor could anyone else, unless he knows every mile of road and the condition of it, because one mile of road may cost double what another mile of road will on the same

route; the roads in one county may cost double what the roads of another county will cost, and so with the States; and so it is impossible to tell exactly what either of these provisions will cost the Treasury of the United States.

Mr. BUTLER. Has the gentleman any idea where we will get money to carry out these provisions?

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Certainly.

Mr. HAMLIN. Mr. Chairman, I understand the purpose of the gentleman who drew the Shackelford amendment to be to draw it in such a way that States would absolutely retain control of these roads. If the gentleman's amendment is adopted, will not that turn over to the Federal Government control of all the roads used by the Government in transporting these mails?

Mr. SIMS. Absolutely not.

Mr. HAMLIN. But the gentleman's amendment states they shall be declared to be post roads.

Mr. SIMS. They have to be post roads in order for the Federal Government to have constitutional warrant to pay for the improvement or rent of any of them.

Mr. HAMLIN. And you would have to do it in order to build them; but that is not the purpose of this amendment.

Mr. SIMS. The purpose of the rent is not to build. I want to say this, that I do not believe we have power under the Constitution to appropriate money out of the Federal Treasury for a local State purpose not in any way connected with a national duty or a national requirement; but the rural route being in my judgment by its use is a post road, therefore the Government does have power, either directly or indirectly, to improve it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARTLETT. In reply to the suggestion of the gentleman from Missouri [Mr. HAMLIN] whether your bill did not make post roads, it is now the law and has been since 1866. Every public road or highway in the States over which mail is carried; every canal, every river, and every street of the cities in the United States over which mail is carried, is considered to be a post road of the United States.

Mr. SIMS. I accept the statement of the gentleman from Georgia [Mr. BARTLETT]. That part of my amendment is mere surplusage. What I want to say to the gentleman from Missouri is this: Because the United States Government performs the Federal function over a road it is not necessary to place that road under Federal control, because the Government has no power to do anything on those roads except as Congress may authorize it, and Congress not having given the Postmaster General or any other Federal authority the right to control these roads, but only the right, with the cooperation and consent of the local authorities charged with the improvement, to aid in the work, Federal control does not follow.

I want to call my friend's attention to this, namely, that we have rural routes now with rural mail boxes all over the country. The boxes are furnished by the patrons at their own cost, and yet Congress has made it a criminal offense for anybody to damage or destroy one of those boxes. But that does not give the Government control of the boxes; it makes it an offense to interfere with the Federal use of them.

Mr. MARTIN of Colorado. How much is the expense that would be involved in your amendment?

Mr. SIMS. I do not know. I can not tell anything about it.

Mr. MARTIN of Colorado. Your amendment does not limit the expenditure to \$10, \$20, or \$25 a mile as does the Shackelford amendment? Do you mean to say your amendment authorizes the Postmaster General to contract for any sum necessary in order to construct post roads?

Mr. SIMS. I say that under such rules and regulations as he may establish by and with the consent of the local authorities. I am not supposing it will cost any great sum to take a road used by rural carriers and bring it up from its present condition to class C.

Mr. MARTIN of Colorado. You understand there is an absolute expenditure fixed in the Shackelford bill. You might go out in my country and find a road you could not improve for \$100,000 a mile.

Mr. SIMS. That the carriers are going over now and discharging the duties of rural carriers at this time?

Mr. MARTIN of Colorado. Yes, sir; mountain trails.

Mr. SIMS. And you have got roads in Colorado that are used by rural carriers that would cost \$100,000 a mile to improve?

Mr. SAUNDERS. Mr. Chairman, I would like to call the attention of the committee to certain features of the amendment offered by the gentleman from Tennessee. It is at war with the whole theory upon which the roads bill is constructed. [Applause.] If this amendment had been drawn for the purpose of killing this bill, it could not have been more speciously and effectively constructed for that purpose. [Applause.] If it is added to the bill, I venture to say that there will hardly be a Member of this House, unless perhaps the patron of the amendment, who will vote for the measure in the amended form. Permit me to present to this body the reasons why I make a statement so broad as the above. The theory of the Shackelford bill is that the communities which help themselves, shall be helped. [Applause.] The theory of the Sims amendment is to help the communities that do not, and will not help themselves, and the extent of their failure to help themselves will mark the measure of the Government's aid. Under the Sims amendment all that will be necessary for any community to do, will be to fail to work its roads at all, and the Government will then come forward to work them. [Applause.]

Under the provisions of the Sims amendment, mark you, no payment will be made for those roads that are now up to standard or that will be made to standard by the local authorities. No inducement is offered, or obligation imposed upon the States or the localities to maintain the roads to standard. Under the amendment all the roads that are now below the standard, and that will be allowed to continue in that condition by the local authorities, or the States, will be taken over by the United States, and worked. The Shackelford amendment is a bill of limited liability. It is easy to figure out the maximum liability under that amendment. The Sims amendment, gravely proposed, and doubtless in good faith, is a proposition of unlimited expenditure on the part of the Federal Government. Yet the gentleman asks an economical House to vote for such a proposition. Under the Shackelford amendment, if every road that potentially comes within the operation of this bill were to receive the amount contemplated by it, the expenditure could not be over \$19,000,000 in the first year. Under the Sims proposition, should the States and local communities simply decline to perform their proper functions, the conceivable expenditure for repair of roads might be \$190,000,000 a year. Yet our friend argues that his proposition is superior in merit to the Shackelford proposition.

Permit me to call the attention of this committee to another feature of the Sims amendment. The opposition to national aid to roads may be divided into two classes. The first class is composed of Members who believe that the National Government ought not to aid at all, or in any wise in the maintenance of State roads. That objection is fundamental, and no bill for national aid could be drawn so as to overcome it. The other class is composed of Members who object to any form of national aid, carrying Federal interference with or control over State functions. The latter objection can be met, and has been met, by this bill. Even the gentleman from Tennessee [Mr. SIMS] has found no ground for criticism of the pending proposition on that score. Indeed his amendment providing for Federal construction of post roads, is an admission in substance that the pending proposition does not err in that direction. The real friends of the bill are opposed to Federal control of State roads, and are therefore opposed to the Sims amendment. Permit me to call the attention of this body to a feature of that amendment, which if grafted on our roads bill will of necessity cause the Federal Government to take over the maintenance of all post roads, to the exclusion of the States, a policy to which I am unalterably opposed, however much it may commend itself to our friend from Tennessee.

The amendment provides that the contract for road construction shall be made by the representatives of the Federal Government with the consent of the State, or local authorities. If the State authorities do not agree to this contract, the Federal Government assumes no burden, or obligation, and no work of maintenance, or repair is carried on, but the moment the State agrees to the arrangements, the work will be prosecuted under Federal supervision, Federal direction, and Federal control. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAUNDERS. Mr. Chairman, I would like to have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia that he have five minutes additional? [After a pause.] The Chair hears none.

Mr. SAUNDERS. Now permit me to call attention to the practicality, the feasibility, and the common sense of the proposed measure. We know what that bill will require, to a very accurate degree. We know the mileage of post roads in

the United States. We know the mileage of improved roads, and the mileage of dirt roads.

We know the appropriate rental that will be paid for the roads in each class. We know, that unless the States and localities maintain the roads to the standard required, not a dollar will be paid out of the Federal Treasury. Some gentlemen have asked what the Shackelford bill will cost. At the present scale of payments, it can not possibly carry, as I have said, more than \$19,000,000 in its first year of operation. As a matter of fact not half of that will be required. If hereafter the Government, that is the Congress of the United States, chooses to raise the rental for the roads in the respective classes, to the extent of that increase, this policy will carry an increased expenditure. In the progress of time, apart from any increase of rentals, the inevitable development of our rural routes, and the improvement of our roads, will call for a larger appropriation. But this is a legitimate and natural evolution. The theory of this bill contemplates that in proportion as the business of the rural mails, requiring additional routes increases, our expenditures upon this form of national improvement, will inevitably increase. Is there any objection to the moderate expenditure contemplated by this bill, safeguarded as it is by the provisions which limit its application to the roads that are maintained to the prescribed standard? [Applause.] I reaffirm, Mr. Chairman, what I said in the beginning of my remarks that every real friend of this measure, the men who have helped to cast it in its present form, the men who believe in State rights, the men who believe in retaining local jurisdiction, the men who believe in aiding the communities that aid themselves, the men who believe in going forward, the men who believe in affording a stimulus to local endeavor, these men, one and all, ought to vote against this pernicious and destructive amendment offered on the part of the gentleman from Tennessee. [Applause.]

Mr. FAISON. Mr. Chairman, I heard the distinguished gentleman from Virginia [Mr. SAUNDERS] and other equally able gentlemen on last Friday make convincing arguments in favor of the constitutionality of Government aid in construction of public roads, which established beyond doubt that the Constitution would allow the construction and maintenance of State post roads. I shall support, therefore, the Sims amendment with a great deal of pleasure. I shall also support the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD] with equally as much pleasure, because I see, as the Chair has just ruled, no conflict whatever between the purposes of these two amendments, and I believe that the Democratic Party in its last convention intended what it wrote in its national platform at Denver in 1908.

That platform reads as follows:

We favor Federal aid to State and local authorities in the construction and maintenance of post roads.

I think that it wrote into that platform what it meant. I think and believe, and the people think and believe, that when that Democratic Party gathered at Denver, Colo., and made its national platform that it meant what it said. I shall support this bill, not only for the maintenance of post roads, as in the Shackelford bill, but for the construction of post roads as required in the Sims amendment, which is even more necessary, as roads must be constructed first then afterwards maintained—and why not as well by national aid? I would hate to believe that the Republican Party intended to deceive its people and supporters.

Mr. SAUNDERS. The Sims amendment does not propose to construct the roads, but simply proposes to take over, on the part of the Federal Government, the maintenance of your State roads.

Mr. FAISON. I think it does mean the construction of post roads, as the language is too plain and clear to be doubtful.

Mr. SAUNDERS. It does not.

Mr. FAISON. I repeat, I would hate to believe that the Republican Party wrote into its platform at its last Chicago convention, in 1908, anything which would tend to deceive the American people, and I would like to read here what that platform also states. The other day in discussing post roads a gentleman from the Republican side of the House, Mr. MADDEN, of Illinois, and another gentleman, Mr. MICHAEL E. DRISCOLL, of New York, declared that Government aid to post roads was nothing less than socialism. Their Republican national platform of 1908 contains the following language, simple and plain, for the farmers especial consideration and comfort and vote, which these gentlemen seem to have forgotten and denounce as socialism now.

THE FARMER.

Among those whose welfare is as vital to the welfare of the whole country as is that of the wageworker is the American farmer. The

prosperity of the country rests peculiarly upon the prosperity of agriculture. The Republican Party during the last 12 years has accomplished extraordinary work in bringing the resources of the National Government to the aid of the farmer, not only in advancing agriculture itself, but in increasing the conveniences of rural life. Free rural mail delivery has been established. It now reaches millions of our citizens, and we favor its extension until every community in the land receives the full benefit of the postal service. We recognize the social and economic advantage of good country roads, maintained more or less largely at public expense and less and less at the expense of the abutting property owner.

This is a direct, plain, and honest statement in the Republican national platform, demanding national aid to country roads "at public expense, and less and less at the expense of the abutting property owners" to those roads. Yet it is denounced by members of that party as nothing less than socialism. Are the gentlemen ready to admit that they are Socialists pure and simple, or denounce their own creed and platform upon which they won this farmer vote they pretend to love so much?

Mr. PAYNE. Does the gentleman find any authority for this proposition in the Republican platform?

Mr. FAISON. Yes; I am reading from the Republican national platform of 1908, written at the Chicago convention. Does the gentleman disown his own party platform on the floor of the House and deny its plain language?

Mr. PAYNE. The gentleman does not find a word in favor of this proposition in the Republican platform.

Mr. FAISON. That is not a matter for you to interpret, sir. I am reading from the National Republican platform of 1908, and if the Republican Party is honest and means what it says to the farmer, it means just what is written in this platform, and can mean nothing else. But I am not surprised that the gentleman from New York does not recognize his own platform now, after the election. It is the usual habit of his party after election and will create no great surprise.

Mr. PAYNE. It says nothing of the kind.

Mr. FAISON. The Democratic Party platform stands for the construction and maintenance of post roads; the Democratic Members should vote for Mr. SIMS's, as well as Mr. SHACKLEFORD's, amendment. We have heard argument after argument from able gentlemen on this side that such building of roads by national aid is constitutional. The Democratic and Republican platforms demand it, and all the American people expect us to fulfill our party platforms, and I gladly do so in behalf of the great country people whom I have the honor to represent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FAISON. I would like to have unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. FAISON. I wish to say furthermore that I shall support the Sims amendment and the Shackelford amendment with pleasure, because I am always glad to vote for the farmers' interest, to add to their pleasure and comfort and to give them every convenience enjoyed by the city and town people, also to make less burdensome the daily life of that large and useful army of rural mail carriers, who so faithfully, through rain and sunshine, serve the mails in the rural districts. I hold in my hand a telegram from Mr. E. D. Pearsall, of North Carolina, for years the secretary of the North Carolina Letter Carriers' Association, asking my support of the Sims amendment in behalf of the letter carriers of the State and their farmer patrons of the country roads—"dirt-road statesmen," if you on the other side so please to call them:

Hon. JOHN M. FAISON,
Washington, D. C.:

Representing 1,200 rural letter carriers and millions of farmers—our patrons—we ask you to support Sims bill for post roads appropriations now pending.

E. D. PEARSALL.

ROCKY POINT, N. C., April 28, 1912.

Our Republican friends on that side must admit, though they may deny it, that national aid along various lines has been an established Government policy for years. The following tabulated statement shows our national appropriations for improvements of all kinds except for good roads at our doors. Either discontinue them or divide them for good roads at home, as well as abroad.

The Government has given in land grants to railroads 200,000,000 acres, worth, if now owned by the Government, about \$20 to \$30 per acre.

Appropriations for rivers and harbors since 1875	\$592,395,160
Appropriations for Mississippi River levees to June 30, 1902	16,580,614
Appropriations for public buildings to June 30, 1911	188,000,000
Land-grant funds to State agricultural colleges	24,585,997

Appropriations for State colleges of agriculture, 1890-1910	\$16,786,000
Appropriations for Panama Canal (estimated)	400,000,000
Appropriations for road building in Porto Rico	2,000,000
Appropriations for road building in Philippines	3,000,000
Appropriations for road building in Canal Zone	1,495,000
Appropriations for road building in Alaska	1,925,000
Appropriations for road building in United States during the last 60 years	000,000,000

This writer, in discussing this table, further states:

It is evident from the foregoing table that the National Government has extended generous aid by direct appropriations and land grants for the promotion of education, and that it has aided to the utmost degree in the development of transportation facilities, the public alone excepted, and even in the matter of road improvement it has voted millions of dollars for the construction of roads in the Philippines, Porto Rico, Canal Zone, and Alaska. It has encouraged the reclamation of arid lands by providing legislation under which great irrigation projects are completed and their cost defrayed out of the proceeds from the sale of public lands thus reclaimed. Congress now stands ready to advance to the Reclamation Service \$20,000,000 for the purpose of carrying on its work whenever it shall seem necessary. The National Government in its beneficent concern for the protection of the dwellers along the Mississippi River has voted many millions of dollars for the building and maintenance of levees. The Rural Delivery Service now carries its annual appropriation of over \$40,000,000, and represents one of the few benefits which the farmer received out of the lavish disbursements of billion-dollar Congresses. The Rural Delivery Service is hampered and curtailed by reason of bad roads which add millions of dollars to the cost of its operation. It is evident from a study of the appropriation bills passed by Congress and the general trend of legislation, including the tariff measures and the patent laws, that our Government has been exceedingly active in fostering and developing manufacturing, transportation, education, colonial development; in short, we find in all the records of governmental activities the one glaring evidence of neglect, and that is in the treatment of the public roads. In fact, agriculture has been given less real assistance by our national legislators than any other line of human endeavor.

The time has come when conditions are so serious as to demand remedial action by Congress, and it is hard to see how national aid to road improvement can longer be withheld.

If we can dig canals, improve harbors, and dredge rivers, and then subsidize boats to carry the mails at home and abroad; if we can give railroad companies large quantities of public lands as a bonus for building railroads, and then subsidize them to carry the mails, why can we not also help to construct and maintain post roads for carrying mail to the farmers of the country? Are the farmers of so little importance to our country as to be always the less-favored class of our citizens, to be satisfied only with party platform promises, now denied by leading Republicans [Mr. PAYNE], or denounced as Socialists by others for demanding only what has been given to others and denied them for years by the Republican Party?

As a Representative of North Carolina, I am not asking charity nor seeking alms at the hands of the National Treasury in supporting these bills for the construction and maintenance of post roads in my State. The annual report of the United States Treasury for the year 1911 shows a balance of nearly \$6,000,000 to the credit of our State, and how better can these funds be used? It is, indeed, time that the State should be treated with more justice at the hands of the United States Government by a fair and just expenditure of its revenues, to say nothing of the burdensome high tariff taxes paid largely by the farmers of this country, who never share in its benefits.

A statement furnished Senator OVERMAN by the United States Treasury Department as to the amount of revenue paid the Government by North Carolina and the amount received by it for the year 1911 shows that the receipts from customs, internal revenue, and corporation tax—paid by North Carolina—and miscellaneous receipts—not classified—amounted to \$7,316,977.18, while the disbursements made by the Federal Government for North Carolina—public buildings, customs service, Internal-Revenue Service, Life-Saving Service, Revenue-Cutter Service, Public Health and Marine-Hospital Service, assay office, rivers and harbors—amounted to \$1,354,100.58. [Applause.]

The amount paid by North Carolina to the Federal Government for the fiscal year 1911, as shown by these figures, exceeded the amount of revenue received by North Carolina from the Federal Government \$5,962,876.60.

The State of North Carolina, then, has the right to demand more than it now receives and to demand this as a matter of justice. It should have ample appropriations for its rivers, harbors, and canals. It is entitled to funds for needed public buildings, and then there will be left some millions of dollars, a part of which can not be more judiciously and wisely spent than in the construction and maintenance of post roads. [Applause.]

Good post roads will cheapen the cost of the mail service, make the parcel-post mail service practicable and efficient, cheapen the high cost of transportation from farm to factory and from factory to farm, cheapen the high cost of living in towns and cities, add convenience and pleasure to farm life, and do more than any other one legislation to bring peace, plenty, and prosperity to the great American people. It is constitutional, the party platforms of both the Democratic and Republican Parties, and justly demanded by all the people of

every section of our common country who will not suffer denial longer. [Applause.]

Those who deny them and their country such beneficent legislation will meet just condemnation in due time for failure to keep their party pledges to the long-suffering, tax-ridden people who pay for these large appropriations and receive not their own share at home in good roads. We should either share with them or stop such large appropriations elsewhere.

Mr. DIES. Mr. Chairman, if I can have the attention of the House for a moment, I desire to say that I do not believe there is a man, woman, or child in the United States who is not in favor of good roads.

This whole question revolves around the sincerity of the Democratic Party as to its protestations, made for almost a hundred years, that indirect taxation is the most expensive kind of taxation to the American people. [Applause.]

Not only myself, but all of my Democratic colleagues, have declared that every dollar covered into the Federal Treasury by means of tariff taxation costs the people of this country about \$5, in round figures, which must be paid by them.

This whole question revolves, as I say, around a question of sincerity. We know that if the county or the State issues its bonds upon a system of direct taxes, it levies its taxes in proportion to the wealth of the taxpayer, which burdens a man in proportion to his ability to bear the burden. The question now is as to whether we shall tax the citizen by the circuitous route of tariff taxation on what he eats and what he wears.

I can understand the consistency of the gentleman from Illinois [Mr. CANNON] when he advocates this bill, because he believes taxation by tariff is a blessing to the people. But when the gentleman from Iowa [Mr. PROUTY] advocates it, I am astounded, because I heard him say, less than a month ago, that under these various systems of tariff taxation a common section hand paid as much taxes as Mr. John D. Rockefeller, with his \$600,000,000 capital and his \$20,000,000 of annual income. I stand amazed at the gentleman who advocates the national building of roads in contradistinction from the county and State building, who would levy for this purpose as much tax upon the section hand as he does upon the six hundred millions of John D. Rockefeller.

Let me tell you, the Democratic Party is either sincere or insincere. It either means what it says or it does not mean what it says. If it is sincere in the declaration that this system of taxation is the most burdensome in the world, that the Government gets only one dollar into the Treasury for every five which the tariff puts into the coffers of the manufacturers of the country, then it is more than hypocrisy for us to shift this burden from the local and State taxpayers, who pay in proportion to their wealth, over to the taxpayers under the Federal Government, where its revenues are derived by tariff taxation from those who pay in proportion to their wants.

Take the illustration given by the gentleman from Iowa [Mr. PROUTY]. Here is Mr. Rockefeller, and here is your section hand, and they are to be taxed for good roads. Mr. Rockefeller pays less for good roads than does the section hand, who gets only \$1.25 a day. It is horrible and monstrous to say that the man who earns only \$1.25 a day by the sweat of his face should pay as much as John D. Rockefeller, with his \$600,000,000. Yet you are about to adopt a system of taxation that incorporates in its terms that monstrosity, denunciation of which almost every Democrat applauded when the gentleman from Iowa gave voice to the sentiment.

Mr. FOWLER. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. DIES. I suppose so.

Mr. FOWLER. I ask the gentleman from Texas if he thinks, because there is a taxation upon the poor which is unjust, that the American people are not able to change that policy of taxation and at the same time help to build good roads throughout the country?

Mr. DIES. I will give the gentleman a good answer and not a hypocritical one. When we wanted to put wool on the free list, to warm the shivering bodies of the people of this country, our Democratic leader [Mr. UNDERWOOD] said we could not do it because we must have the revenue raised by the tariff on wool. [Applause.] Now, when you want to spend many more millions of dollars, you say you would rather spend the money in proportion to want than in proportion to wealth. I say it is hypocrisy, whether it is pronounced by the Democratic Party or some other party in this country.

Mr. FOWLER. Do you think the Democratic Party was sincere at Denver when it declared for national aid to public highways?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. DIES. I think the Democratic Party has been sincere for 50 years in its declarations that it wanted a revenue tariff and an economical administration of the Government. Will any intelligent man tell the folks at home how you can constantly increase the expenditures of this Government, constantly add to the avenues of appropriation of the Federal Government, and at the same time reduce the tariff? We had as well be honest with the people and tell them, "You can not have your cake and eat it too." [Applause.] You can not have a low tariff tax and constantly add to your budget of Federal expenditures.

Mr. FOWLER. May I ask one more question?

Mr. DIES. No; I object.

The CHAIRMAN. The gentleman declines to yield.

Mr. FOWLER. Just one more question.

Mr. DIES. Make it brief.

Mr. FOWLER. Does not the gentleman think the Republican Party was sincere at Chicago when it declared in favor of good roads in America?

Mr. DIES. I think the Republican Party is sincere when they say that a tariff tax is a blessing. And if it is a blessing this bill is defensible, but if a tariff tax is a curse this bill is not justifiable. If the tariff is a tax, that only gives to the Government one dollar out of every six that it collects, and taxes men in proportion to their necessities instead of in proportion to their wealth and ability to bear it; this bill is utterly undemocratic and utterly indefensible, because you have got county and State systems by which you can raise revenues to build your roads and tax men in proportion to their ability to pay. You deliberately set aside a system that makes a millionaire pay on his millions and makes the man of small means pay small in proportion. You deliberately set that system aside to take up the Republican system of taxing a man in proportion to his needs, on the clothes he wears, on the food he eats, and, as Mr. PROUTY, of Iowa, has said, taxing a section hand as much as John D. Rockefeller. So surely as there is any sincerity in Democracy, so surely as there is a word of truth in all our protestations, we never can reduce the burdens of the people's taxes by lowering those taxes unless we quit being more greedy than the greediest Republican in trying to get appropriations for every conceivable scheme. [Applause.]

I want to say, measuring my words when I say it, that Democracy has almost surrendered its tariff position; has almost given away its position on the tariff question by wanting more money for public buildings, more money for internal improvements; and now this last straw that is to break the camel's back of our sincerity is that the Federal Government should tax want instead of wealth; should extend this Republican system of indirect taxation and take in the roads and make a network of political activity in this country for our benefit and for the benefit of our successors in office. [Applause.]

Mr. MONDELL. Mr. Chairman, the amendment offered by the gentleman from Tennessee [Mr. SIMS] should be supported with great enthusiasm by all the true and loyal Representatives of rural constituencies. The measure fathered by the gentleman from Missouri [Mr. SHACKLEFORD] and proposed under the special rule was altogether too restricted and hobble-skirted to be worth while. Your rural constituents asked you for bread and you offered them a stone, merely a Federal appropriation of from \$25,000,000 to \$50,000,000 annually for rural roads. Is that worth while, when we are tapping the unfailing fountain of the Federal Treasury in the interest of our continuation in this honorable body? How could we justify ourselves as Representatives of rural constituencies when we grant to the rich suburbanite living near the city or the village rent for the road past his house and deny any relief whatever to the dweller at the end of the route in Hickory Hollow or Hazelbush Dell? Is it not our duty in extending the strong and unfailing stream of the Federal Treasury, which flows with milk and honey and good hard cash—can we justify ourselves if in so doing we do not benefit those who most need it, those who can not build their roads themselves? Shall we build roads or aid roads running through thickly settled populations adjacent to the towns and not build roads among our real country people at the end of the route, where the road is likely to be so poor that it does not come within either of the three classes provided for in the bill?

Mr. GARRETT. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Tennessee?

Mr. MONDELL. I shall be glad to.

Mr. GARRETT. I appreciate and sympathize—

Mr. MONDELL. Oh, no sympathy. Rather mingle in our joy that at last we have an appropriation that really means something.

Mr. GARRETT. I wanted to ask the gentleman if he signed the request to the Committee on Rules bringing in this rule in the same spirit in which he is now speaking?

Mr. MONDELL. Just about the same spirit. The fact is that my friend from Missouri [Mr. SHACKLEFORD] was looking discouraged that day.

Mr. RUBEY. Just one question.

Mr. MONDELL. Mr. Chairman, I can not yield.

Mr. RUBEY. Just one single question.

The CHAIRMAN. The gentleman declines to yield.

Mr. MONDELL. I have but half a minute more, and in that time I want to call attention to what a glorious prospect we now have spread before us, the opportunity of appropriating not a paltry ten or twenty or thirty or forty or fifty millions but hundreds of millions of dollars for the benefit of the real people, the farmers at the end of the rural routes. The gentleman from Colorado made a rather foolish inquiry, it seems to me, as to how much could be expended under this appropriation for any given mile of road. Why inquire as to such miserable little details as that [laughter] when you have the unfailing source of the Federal Treasury to draw on? The gentleman from Texas [Mr. DIES] wants to know where the money is to come from and suggests that we can not put everything on the free list and still build thousands and millions of miles of good roads. Of course we can not, but gentlemen are not to be halted in this beautiful program by anything of that sort. The hope of the gentlemen on the other side is that their constituents will never put the two things together, but that after they get home they will hail them as faithful in the reduction of Federal taxation and as even more faithful in passing out to them millions from the Federal Treasury. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the amendment of the gentleman from Tennessee to the amendment of the gentleman from Missouri close in 10 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee.

The question was taken, and the motion was agreed to.

Mr. PROUTY. Mr. Chairman, the gentleman from Texas [Mr. DIES] rather amuses me. He reminds me of the old doctor in our community who knows nothing about anything except fits, and whenever he gets a patient he first throws him into fits and then he cures the fits. One would be disposed to think that the gentleman from Texas could not make a speech on anything except the tariff, and I would have been inclined to believe that myself had it not been for the fact that I did hear him make an able speech upon the Great Commoner. [Laughter.]

The least acute man in this assembly can discern the fact that this question has nothing to do with the manner or method of raising revenue. I care not whether you get the revenue under your excise tax, your direct method, under your tariff for revenue only, or your tariff for protection. That is a question that we ought not here to discuss, and I shall not allow myself to be diverted to such discussion. The only question here is, after the money has been obtained and is in the Public Treasury by these various methods, where and how, in equity, ought it to be expended?

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Certainly.

Mr. DIES. How does the gentleman propose to get the money to contribute for this good-roads proposition?

Mr. PROUTY. In the various ways that you will get it for the purpose of building post offices in Texas.

Mr. DIES. Is not that the indirect system of tariff taxation?

Mr. PROUTY. Of course it is; and you are using it and you are declaring, if the gentleman wishes to force this into politics, that you are in favor of a tariff for revenue. I have not said that I was. I supported your excise bill, and I did it because I believed in it, for I believe it is perfectly fair to collect money for all expenditures with some relation to the ability of the man to pay; but we have not that system now. I am in favor of using the money that we collect even by this indirect method in a way that is fair to the people who pay it.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Yes.

Mr. DIES. Taking the gentleman's illustration with the excise bill, would the section man pay more under a system of State and county direct taxation to good roads or under this indirect system of tariff taxation?

Mr. PROUTY. He would pay just in the same proportion that he pays to obliterate the boll weevil in the gentleman's

State now. A man who does not comprehend that can not understand the economics of our country.

Mr. DIES. And the gentleman thinks that is an answer to my question?

Mr. PROUTY. Yes, I do; and if the gentleman does not understand it I can not help it. Here is the proposition in a nutshell. Whatever money goes into the Public Treasury ought to be expended fairly among and for the people who contributed it. My friend from Tennessee [Mr. SIMS] has offered an amendment here to this measure that is unjust and unfair. It will enable a community to say, "We will not spend any of our own money for the purpose of improving roads; we will not do a thing; we will let the Federal Government do that." Here is a community that expends its money for building its own roads, and at the same time the Government does not pay them anything for the building of those roads. Any man who can not comprehend the unfairness of that scheme I do not care to talk to.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The question is on the amendment offered by the gentleman from Tennessee to the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment to the amendment was rejected.

Mr. MADDEN. Mr. Chairman, I desire to offer an amendment to the bill by striking out of the amendment, page 3, line 5, the word "rural."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 3 of the Shackelford bill, line 5, strike out the word "rural."

Mr. MADDEN. Mr. Chairman, I desire to ask unanimous consent that I may be allowed to speak for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may be allowed to speak for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman, the gentlemen who designate themselves as statesmen of the mud roads, in nearly every instance, represent constituencies of not only farmers but of people living in villages and cities. There is no district in this country that does not contain within its borders some village or some city, and I ask those men who are warbling in the name of the mud lark, in the name of the farmer, whether they propose to represent all of their constituents or only 50 per cent of them. This amendment which I have just proposed gives to every community an equal distribution of the funds that are paid out of the Federal Treasury. My friend from Iowa [Mr. PROUTY] just a moment ago said that he believed in an equal distribution of the Federal funds. If he does he will vote for this amendment, because this amendment proposes that men who live in municipalities as well as those who live on farms shall participate in the improvements that are to be made as a result of the expenditures proposed under this bill. I want to ask you gentlemen who represent rural communities whether you want to go back to your people and say that you are in favor of spending money out of the Federal Treasury for the purpose of maintaining roads throughout the rural districts and against the payment of money out of the Federal Treasury for the purpose of maintaining roads in the villages and cities of your district. You will have an opportunity here by this amendment to say by your vote whether you are really a representative of your district or whether you simply represent that part of your district in which the farmer lives. The men who live in the villages and cities of the United States are equally entitled to the consideration which this bill proposes along with the farmer. Is there any reason why the post roads running through a town or village or city should be discriminated against?

Is there any reason why these eight, ten, fifteen, twenty, or fifty million dollars proposed to be expended on public highways should be paid wholly to the farmer? Is there any reason why the city dweller, who has an equal vote with the farmer, should not have equal rights and equal treatment under this bill? I ask you men who come from country sections of the Nation, Are you willing to go back home and say to the men who live in the villages and the cities that we do not recognize them as any part of our constituency? Are you willing to go back home and have them say to you, How did you deport yourself on the question of the payment of money taken out of the Federal Treasury for the rent of the highways of the Nation? Why were we discriminated against when you were voting for this bill?

Mr. BATHRICK. Will the gentleman yield for a question?

Mr. MADDEN. I yield to the gentleman from Ohio.

Mr. BATHRICK. I would like to ask the gentleman if he does not know that the people in the cities use the country roads a great deal?

Mr. MADDEN. Oh, yes; and the people in the country use the city roads as well, and they are glad to have an opportunity to come to the city occasionally and get that communion of interest which that association with the city people gives them.

Mr. SLAYDEN. Will the gentleman yield?

Mr. MADDEN. I do.

Mr. SLAYDEN. I would like to ask the gentleman from Illinois if it is not true that the mail is distributed over the rural routes absolutely for the convenience and use of the post office and not the people, and therefore the post office ought to pay for it?

Mr. MADDEN. I assume that the gentlemen who come here favoring the enactment of this legislation believe—because they would not act as they do unless they did believe—that the mail distributed to the rural constituency is simply done as a matter of accommodation to the Government or to the post office authorities. I do not believe, Mr. Chairman, that any dollar of the public money should be paid out of the Federal Treasury for the upbuilding of any road now in the United States, I am frank to say.

I do not believe that any Federal money should be paid to aid the States in the construction of highways. The States of the Union are amply able to build their roads for themselves. The people who live in those States are patriotic, they are willing to pay their taxes, they have paid them in most of the Northern States of the land, and their roads are being constructed and will continue to be constructed out of the pockets of the local taxpayers.

Mr. PROUTY. Will the gentleman yield for a question?

Mr. MADDEN. I do.

Mr. PROUTY. I live in a town of 100,000 people—Des Moines. In the last six years there has been about \$3,000,000 of public funds expended in my town, and, so far as I know, not a dollar expended for the benefit of the rest of my constituency. Do you not think it is fair that some of it should go to some of my other fellows? [Applause.]

Mr. MADDEN. I am in favor of every citizen of the United States being treated alike, whether he lives in the city of Des Moines or any other city of equal population. I believe the farmer to be as good as the city dweller, but I do not concede that the city dweller is not equally as good as the farmer.

Mr. LANGLEY. Will the gentleman yield?

Mr. MADDEN. Yes, sir.

Mr. LANGLEY. I believe the gentleman's amendment, if adopted, would increase the amount—

Mr. MADDEN. The amendment I offer would increase the delivery of the United States mail.

Mr. LANGLEY. It would increase the amount of money?

Mr. MADDEN. It treats of the mails as a whole and not any part of them. It treats of the delivery of mails to every man, woman, and child within the borders of the American Continent. And it does not seek to limit the delivery to any particular section of the country or to any particular class.

Mr. LANGLEY. The gentleman is opposed to any appropriation of this kind, he says?

Mr. MADDEN. I am opposed, in the first instance, to any appropriation of this kind, but if the appropriation is to be made, I am in favor of making it so that it will apply alike to every man, woman, and child in the country.

Mr. LANGLEY. The gentleman evidently does not want his amendment adopted.

Mr. MADDEN. I want the amendment adopted.

Mr. MANN. Mr. Chairman, while I doubt the advisability and propriety of the General Government entering upon aid to roads throughout the country, I recognize the fact that probably the time has come when the National Government will be required in some form or other, out of the Federal Treasury, to aid in the construction or maintenance of such roads. [Applause.] The amount that would be involved by the Shackelford bill has been estimated by the gentlemen favorable to it at from \$10,000,000 to \$20,000,000. Whatever that amount may be it does not make very much difference, because it is inevitable that if we enter upon the program we will carry it through until the expenses amount to probably hundreds of millions of dollars; and yet I remember that during my short term of service in this House I have seen the appropriations of the General Government increase fully 100 per cent, and go up to a billion dollars in a year, where only a few years ago it was an unfavorable criticism when Congress appropriated a billion dollars in two years; and I do not doubt that in the end, if it becomes necessary, there will be ways found, fair in

the main, by which the money can be raised, nor do I doubt that the money, if expended, will be expended under provisions which in the main provide for very equitable distribution and very fair disposition, for to doubt that would be to doubt the qualities of our race for self-government. [Applause.]

Mr. Chairman, this is the first time, I think, in my service in this House when a proposition is presented purely in the interest of one class of people as against another. If we are to enter upon the policy of giving aid to roads, why should there be the distinction between the country roads and city roads. Nearly or quite half the population of the country live in the cities. They pay their equal share of taxes. They are much more thickly populated per mile of street or road than is the country. On what basis can it be justly claimed that you should tax the people in the cities for the construction of good roads and make no provision equal in terms for the city roads? If we should pay \$15, \$20, or \$25 a mile for the use of the country road which is improved, then, by every right and in justice, we should pay something to encourage the cities to improve their streets and keep them in repair.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. POWERS. Will the gentleman yield for a question?

Mr. MANN. I will.

Mr. POWERS. This Shackleford amendment provides—

Mr. MANN. I know what it provides. Just ask the question.

Mr. POWERS. If you will just wait a minute, and let me ask a question. It provides:

Whenever the United States shall use any highway for the purpose of carrying the mails, whether in the cities or in the country—

If rural mails are carried through the city to the country, this highway is used for that purpose, and the money will be paid to the city just the same as to the country.

Mr. MANN. As a matter of fact, the Shackleford amendment does not provide for paying for the use of the roads for delivering mail at all. It only provides for its use for transporting mail. What the department would rule about that I do not know. I suspect, perhaps, if they made a strict construction of it they would only provide where they transport star-route mail in connection with rural-delivery mail. But the purpose of the bill, if its purpose be effectuated, is to provide payment for the use of the country roads in the carrying of the rural free-delivery mail.

Mr. RODDENBERY. Mr. Chairman, will the gentleman yield?

Mr. MANN. Why should we provide for that and not provide, out of the same Treasury, from taxes collected from the same people, for the use of the roads for the delivery of the city mail? Do you people from the country believe that because you have a majority in this House you can permanently establish a policy in this country which proposes directly to tax the people of the city for the specific benefit of the people in the country?

Mr. RODDENBERY. Will the gentleman yield?

Mr. MANN. That never has been the case in the history of the world. It never will be. You may temporarily tax one set of people for the exclusive benefit of another, but in the long run you must raise taxes equally and expend them equitably.

Now I will yield to the gentleman from Georgia.

Mr. RODDENBERY. Does not the gentleman think that there is ample precedent furnished for this legislation in the fact that for more than 25 years from two to six free mail deliveries were made to the cities during all that period of time and no provision was made for free mail delivery to the people in the country, and the country people said nothing? [Applause.]

Mr. MANN. I do not. On the contrary the city from which I come contributes to the treasury of the Post Office Department in the neighborhood of \$8,000,000 a year—

Mr. MADDEN. Fourteen million three hundred and ninety thousand dollars, if the gentleman will allow me—

Mr. MANN. Contributes over \$8,000,000 a year above the expense of maintaining that office and all connected with it, and that money goes to carry the rural mail in the rural districts. We do not complain of that—

Mr. MADDEN. Will my colleague yield for a moment?

The CHAIRMAN. Does the gentleman from Illinois yield to his colleague?

Mr. MANN. No; I regret I can not yield.

We do not complain of that, because we in the cities realize the fact that it is to our interest in sending the mail to have it properly delivered to those who shall receive it in the country, and vice versa as to the people in the country. We acknowledge that here is a fund collected from the general use of the Post Office Department that we are willing to have equitably distributed, although the man who puts a 2-cent stamp in the city is contributing directly one-half of it to the rural mail delivery in the country, for which he receives no benefit.

I appeal to this House for fairness all around, both to the country and to the city. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I shall favor the amendment offered by the gentleman from Illinois [Mr. MADDEN]. Its adoption will result in equality of treatment for the rural and urban communities. It will eliminate the special—and therefore un-Democratic—feature of the pending provision. The report which accompanies the bill states that “the basic principle of this bill is compensation by the Federal Government for the use of the roads traveled by mail carriers in the star route and Rural Delivery Service.” If that principle can be justified, and the Federal Treasury reached upon such a plea, then the distribution should be free from discrimination, and the Federal Government should contribute for the use of highways in municipalities traversed in delivery of mail.

But, Mr. Chairman, the Members of this House do not know the extent of the enterprise upon which they are embarking. They have not looked carefully into the enormous outlay that will be required if the Federal Government is seriously to engage in the work of assisting in improving the roads of the country. The amount provided in this bill is a mere bagatelle. It is the cultivation of a delusion, which, if this provision becomes a law, will quickly be realized by the country, to provide an insignificant pittance.

But if there is to be provision made of this kind and compensation paid for the use of roads by the postal service, the great municipalities and the small municipalities should be placed upon the same basis as rural communities.

Since 1902 the city of New York has expended for paving and repaving its streets \$71,727,619.

Mr. LEGARE. You do not need any more, then.

Mr. FITZGERALD. In the past 10 years it has paved 392 miles of streets and has repaved 657, a total of 1,049. On December 31, 1911, its mileage of paved streets was 2,145, and of unpaved ones 1,650. I appreciate the willingness of some gentlemen to have one section of the country contribute to the work that should be done by other localities. The city of New York has had its burdens greatly increased from this tendency. The city pays about 70 per cent of the State taxes of the State of New York. The experience of that State in road construction is illuminating. Since 1898 it has expended in excess of \$111,000,000 upon its roads. Under a constitutional amendment, adopted in 1898, the State of New York was authorized to issue \$50,000,000 of bonds with which to contribute to the construction of roads. It has outlined a system of State highways and contributes to county and town highways. The proportions are 50 per cent by the State, 35 per cent by the county, and 15 per cent by the township. After the enormous expenditure of money in recent years, in addition to the sums theretofore expended, there are now in the State 3,161 miles of macadam road, about 8,915 miles of gravel roads, and about 53,507 miles of crowned highways, and 15,000 miles of ordinary country roads. According to the figures given in the report accompanying this bill, the roads used by rural and star routes in the State of New York aggregate 2,249 miles, and if every road traveled by one of these carriers were in class A, the contribution by the Federal Government to the State of New York under this bill—

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAUNDERS. Mr. Chairman, may I interrupt the gentleman?

Mr. FITZGERALD. Mr. Chairman, I ask that my time be extended 10 minutes.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that his time be extended 10 minutes. Is there objection?

Mr. SAUNDERS. Will the gentleman allow me to interrupt him?

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on this amendment be closed in 10 minutes.

Mr. FITZGERALD. Mr. Chairman, has my request for 10 minutes been granted?

The CHAIRMAN. It has not.

Mr. FITZGERALD. I asked unanimous consent to be allowed 10 minutes more.

The CHAIRMAN. Yes; and the gentleman from Tennessee [Mr. MOON], the chairman of the Committee on the Post Office and Post Roads, moved that the debate be closed in 10 minutes.

Mr. FITZGERALD. But, Mr. Chairman, my request for unanimous consent was submitted by the Chair.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee [Mr. MOON].

Mr. FITZGERALD. I asked consent that my time be extended 10 minutes, and I made the request before the gentleman from Tennessee asked for recognition.

Mr. MANN. I think the gentleman from Tennessee [Mr. MOON] has no desire to cut off debate on this proposition.

Mr. MOON of Tennessee. I have no desire to cut off the gentleman from New York or anybody else. I will change my motion so as to ask to close debate on the amendment and all amendments to the amendment at 6 o'clock.

Mr. MANN. There can be no amendment to the Madden amendment. It is an amendment in the second degree.

Mr. MOON of Tennessee. I refer to amendments after that is disposed of.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] moves that all debate on the Shackelford amendment and all amendments thereto be closed at 6 o'clock.

Mr. MANN. The gentleman does not mean all amendments.

Mr. FITZGERALD. I submit that my request is entitled to be submitted to the House.

The CHAIRMAN. The Chair will state that he has recognized the gentleman from Tennessee [Mr. MOON] to move to close debate, and the gentleman from New York is not now in order.

Mr. MANN. Does the gentleman from Tennessee propose to cut off all debate on other amendments to the Shackelford amendment?

Mr. MOON of Tennessee. I want to close debate on the amendment of the gentleman from Missouri. If any other gentleman in the House wishes to offer an amendment I will not object.

Mr. MANN. The gentleman could not object. The gentleman agreed to be liberal, and, as he knows, there are a number of other gentlemen who desire to offer amendments. The gentleman might move to close debate on the Madden amendment in that length of time.

The CHAIRMAN. What is the motion of the gentleman from Tennessee?

Mr. MOON of Tennessee. I withdraw my motion in order that the gentleman from New York [Mr. FITZGERALD] may have his request put to the House.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. SAUNDERS. I wish to say to the gentleman from New York that under the operations of this bill the State of New York would derive from \$800,000 to \$1,000,000. It is a very simple calculation. The State of New York will derive from \$800,000 to \$1,000,000 annually from this bill when it is in full operation. Now, may I ask the gentleman another question?

Mr. FITZGERALD. Before the gentleman proceeds, on April 1, 1912, the total number of rural and star routes in operation in the State of New York was as follows: Rural, 1,899; star, 550; total, 2,449.

Mr. SAUNDERS. It is a conservative estimate to say that the average length of those routes would be 20 miles.

Mr. FITZGERALD. I was mistaken in my first statement. I had confused the number of routes with the mileage.

Mr. SAUNDERS. I should like to ask the gentleman another question: Does not the State of New York provide State aid in the construction of State highways?

Mr. FITZGERALD. The State is building a system of State highways.

Mr. SAUNDERS. Does it not provide for the construction of or aid to streets in municipalities?

Mr. FITZGERALD. Yes. I made that statement. I intend to discuss it more fully. It illustrates the tendency and the desire of localities to escape the burden they should assume. In 1899, if I recall correctly, a law was enacted in New York providing for the system of contribution whereby State aid was extended to localities. The law provided that 50 per cent of the cost of construction should be paid by the State, 35 per cent by the county, and 15 per cent by the town. Very soon it was ascertained that to some of these communities the burden was irksome, or in excess of what the people desired to contribute. Good roads were desired and the wish was equally strong that

the cost should be borne other than by the localities benefited. An amendment was enacted by which it was provided that the contribution of the counties and towns should be 2 per cent on the assessed valuation of real property in the county and 1 per cent in the town, but in no instance should the county or town pay in excess of the 35 and 15 per cent proportion. The result is that in some instances the State is expending 91 per cent of the cost of the roads and the localities 9 per cent. The tendency is natural; it is human. The desire to make some one else pay is overpowering. Shift the burden from locality to the State, from the State to the Federal Government. It is as effective to avoid the eventual burden as the ostrich in escaping danger by hiding its head in the sand. The State of New York is expending \$6,000,000 annually on its roads, and with this enormous expenditure it has not enough roads, if all used by the postal service were of class A, to receive, under this bill, 20 per cent of what it is itself expending.

But my objection to this legislation is fundamental. It is not predicated upon expenditure alone. It is aimed chiefly at the theory upon which the legislation is based. It introduces a new, a novel, a curious principle into our governmental system. It purports to require the Federal Government to pay localities for the privilege of furnishing some service to the people which is legitimately within the proper functions of the Federal Government. It is based on the theory that the Federal Government is something distinct, separate, apart from, superior to, and superimposed upon the people of the country; that it has some means of acquiring wealth or resources or moneys other than by obtaining them by taxation from the people, to be distributed for their benefit. The gentleman from Missouri [Mr. SHACKLEFORD] spoke of the Federal Government being liberal in its treatment of the people. This is a strange doctrine to be enunciated by a Democrat. It is a peculiar notion that seems to be spreading. The Government should be liberal in its treatment of the people! Such a statement is strange to men who have been brought up to believe and to realize and who know what our Government is and means. Free institutions are organized by the people in order to maintain order and permit them to live in the most orderly, free, and happy manner possible consistent with the rights of others, and are predicated upon the theory that all men have certain inalienable rights, and that to preserve these governments are organized.

This idea that the Federal Government is something like the Government of the Russias, or some other imperial government, in which the people are subjects, beneficiaries, supplicants, and mendicants, who beg and plead as if some great father would be persuaded to scatter his resources with generous hand and give to the people something apparently not belonging to them is a new and unheard-of and astounding doctrine in our land. Mr. Chairman, why not charge the Federal Government for the privilege of conducting Federal troops over country roads and through city streets? If the Federal Government is annoying or unkind or illiberal, why not tax it out of existence? It would be simple for the people to punish the Government by imposing burdens it could not bear. Under the Constitution exclusive jurisdiction is placed in the Congress over all places purchased by the consent of the legislatures of the States required for forts, magazines, arsenals, dockyards, and other needful buildings. Under section 355 of the Revised Statutes no money can be expended upon any site or land for the erection of any public building, fortification, or similar work unless the consent of the State is first obtained to the acquisition of the property. Why not abandon the policy heretofore followed and consent that the Federal Government shall pay taxes upon its Federal buildings, taxes upon the land occupied for fortifications, and other public purposes? It is the same principle underlying this bill carried to the logical conclusion. It is something new and novel. It is merely a cloak or a cover to get the hands of the various localities into the Federal Treasury.

People shut their eyes and dream that the money they take is to be obtained from some place else than from their own pockets, but it will come from there eventually and no other place. There seems to be a widespread notion that the resources of the Federal Government are boundless, that the Treasury is overflowing. The methods by which the Federal Government obtains money is indirect and remote from the people. Its gathering hand is invisible; yet it takes its mite from every article, from every commodity that is of use to the people. It may be difficult to trace the tax; that makes some people the more ready to have it imposed. To enter this new policy means additional taxes, additional burdens. It is futile to talk of reducing taxation, of relieving the people from grievous burdens, of reducing the cost of living, if at every turn we are to be confronted with some new scheme to filch money from the Federal Treasury.

There is one source of expense to which no one has given much attention but which is a very important matter. The compensation for these roads, if there be dispute, is to be fixed by the Department of Agriculture.

The condition in which the roads are to be maintained is to be determined by the Department of Agriculture. How is the Department of Agriculture to obtain the information necessary to discharge the obligation imposed? Only by the maintenance of a force of inspectors that shall continuously keep under supervision and observation all of the roads which will be entitled to compensation because of their use by the Federal Government. It will require an army of new employees to swarm through the country. It will be inevitable that crying abuses will result from such surveillance. Congress has consistently heretofore refused to pave streets in front of public buildings and it has refused to make any contribution for the construction of sidewalks about its property, and yet gentlemen now seriously propose to compel the Government to pay the people of the various localities for the privilege of rendering an important public service to them. Why not charge the Government for every public service rendered, in the hope that in some providential manner, like manna from heaven, funds will come into the Public Treasury? [Applause.] Mr. Chairman, this legislation should not be enacted. It can not be justified upon any sound theory. It is unwise. It will lead to evils that will be deplored. It cultivates among the thoughtless and the uninformed erroneous and dangerous notions of government; it subjects the Federal Treasury to burdens for nothing essential to the discharge of its legitimate functions. It is an idle attempt to get something for nothing. Whatever is expended upon our roads will be paid for by the people. It will be better if they keep the work and the expenditure close to home. They may yet succeed in frittering away rights and privileges of inestimable value, obtained only by the expenditure of vast quantities of blood and treasure, for the unsatisfactory boon of a Federal appropriation and a dominant and irresponsible and unsympathetic Federal Government.

Mr. MOON of Tennessee. Mr. Chairman, I move that all debate on the amendment of the gentleman from Illinois [Mr. MADDEN] be now closed.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois to the amendment of the gentleman from Missouri.

The question was taken; and on a division there were—aye 22, noes 105.

So the amendment was rejected.

Mr. HARDY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend the amendment by inserting at the end of the main paragraph thereof the following:

"Provided, however, That no payment shall be made under the provisions of this paragraph for the use of any privately owned or toll road."

Mr. SHACKLEFORD. Mr. Chairman, I ask unanimous consent that that amendment be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, at the end of line 13, H. R. 22952, add the words: "Nor for the use of any street or highway within the limits of any city or village."

Mr. McLAUGHLIN. Mr. Chairman, the purpose of my amendment is to limit the payment—

Mr. SHACKLEFORD. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Certainly.

Mr. SHACKLEFORD. Is the gentleman aware that in many of the New England States the limits of one village overlap the limits of another and that almost all of the roads are within the incorporated villages in the New England States?

Mr. McLAUGHLIN. Mr. Chairman, I did not know the exact situation, but it would make no difference with my idea of the manner in which this money should be expended. My idea is that the money should be paid out to aid in the construction and maintenance of purely country roads. That has been the purpose announced by the authors of the bill, and I think the idea should be carried out. It is exactly contrary to the idea advanced by the gentleman from Illinois [Mr. MADDEN] and the idea advanced by the gentleman from New York [Mr. FITZGERALD]. It is not necessary to speak at length about it. I would confine this bill, if it becomes a law, and the use of the

money under it exclusively to the building and maintaining of country roads only.

[Mr. WARBURTON addressed the committee. See Appendix.]

The CHAIRMAN. The question is on the amendment of the gentleman from Michigan to the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was rejected.

Mr. RODDENBERY. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment by inserting after the words "for highways of class C" the following: "Provided, That for roads used for the purposes of transporting rural mails, meeting all the conditions and requirements of class C, except that they have a road track not less than 16 feet wide, compensation shall be made at the rate of \$25 per annum per mile, and said roads shall be known and designated as class D."

Mr. DODDS. Mr. Chairman, I ask unanimous consent to return to page 25 for just a moment, on an amendment which I introduced at the end of line 6, in order to make the following amendment—

Mr. MANN. I suggest to the gentleman his request could be made to-morrow as well as to-day. It is 6 o'clock.

Mr. DODDS. It will only take a moment.

Mr. MANN. You can not tell how long it will take.

Mr. MOON of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21279, the Post Office appropriation bill, and had come to no resolution thereon.

Mr. MOON of Tennessee. Mr. Speaker, I ask unanimous consent that the House take a recess until 10.30 o'clock to-morrow morning, and on convening that it shall immediately take up the Post Office appropriation bill for further consideration under the five-minute rule.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the House stand in recess until to-morrow at 10.30, at which time it shall take up for further consideration the Post Office appropriation bill under the five-minute rule.

Mr. MANN. Mr. Speaker, reserving the right to object, does the gentleman believe he can keep the House in session from 10.30 to-morrow until 6 o'clock to-morrow afternoon under the five-minute rule?

Mr. MOON of Tennessee. I think we can.

Mr. MANN. That will wear everybody out.

Mr. MOON of Tennessee. Oh, I think not. I would rather do that than to have a night session.

Mr. MANN. The gentleman does not expect to finish the bill to-morrow?

Mr. MOON of Tennessee. We want to do all we can toward it.

Mr. MANN. Well, if it comes to that stage in the session where it will do any good to have night sessions I think everybody in the House will be perfectly willing to have night sessions, or commence at 10 o'clock in the morning, if necessary, but we have not reached that stage yet.

Mr. MOON of Tennessee. I will say to the gentleman from Illinois we have had three or four days' debate on this bill—

Mr. MANN. And I tried to cut it off and have debate under the five-minute rule.

Mr. MOON of Tennessee. And 20 hours' debate on the bill under the rule. We have had sessions beginning at 10.30 in the morning and one night session, and we are very much now in the way of the Committee on Appropriations, which is anxious to bring in a bill. If we want to get away in time for your national conventions, we had better be doing a good deal of work.

Mr. MANN. We will have no trouble, as far as the House is concerned, in getting away the 1st of June if there is any assurance that the other branch of Congress will get away by that time, because if it gets to the point where we need to sit we can commence at 12 o'clock and run until 12 at night, if necessary. If the gentleman meets at half past 10, we will not have 20 men in the House.

Mr. MOON of Tennessee. They ought to be here.

Mr. MANN. It does not make any difference; there are only a few here now who will know about it, and they will not be here, and we will have one or two calls for a quorum, and you can not keep them here for any length of time.

Mr. GARNER. The RECORD will indicate that to-morrow morning at 10.30 a. m. the House is to meet, and if there is no

quorum all you will have to do is to make the point and ring the bell, and everybody will be in here.

Mr. MANN. We did that the other day, and had a call of the House. My distinguished friend from Texas [Mr. GARNER] did not learn of it, because he was not here.

Mr. GARNER. I have been here every morning, whether at 10.30 or at 12 o'clock.

Mr. MANN. I hope the gentleman will not make the request. If it is necessary, we can sit later to-morrow night.

Mr. SABATH. There are a great many committee meetings to-morrow morning.

Mr. LANGLEY. The Committee on Invalid Pensions meets to-morrow morning.

Mr. MANN. As I am not on any committee, that does not bother me.

Mr. MOON of Tennessee. I want to be as liberal as possible in the discussion of amendments—

Mr. BUCHANAN. Mr. Speaker, I object. I have a committee meeting to-morrow morning.

Mr. MOON of Tennessee. Mr. Speaker, I move when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

Mr. MANN. Mr. Speaker, I make the point of order that the motion is not in order, so far as that is concerned.

The SPEAKER. That motion is not in order.

Mr. MANN. If the gentleman from Tennessee should ask unanimous consent I would not object, so far as I am concerned.

Mr. MOON of Tennessee. I will ask unanimous consent, then.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] asks unanimous consent that the House stand in recess until 11 o'clock a. m. to-morrow, and at that time the Post Office appropriation bill be proceeded with.

Mr. BUCHANAN. Mr. Speaker, reserving the right to object. I want to say the Committee on Naval Affairs has an important meeting to-morrow forenoon and I want to be present, and I would like to be present here, too.

Mr. MOON of Tennessee. If the gentleman from Illinois [Mr. BUCHANAN] thinks he is of such importance that he is obliged to be here I will withdraw the request and let the responsibility rest where it is.

Mr. BUCHANAN. I do not think I am of so much importance, but I am a Member of this House, and I object.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 19721. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows and dependent relatives of such soldiers and sailors.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4314. An act granting pensions and increase of pension to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5193. An act granting pensions and increase of pensions to soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

ADJOURNMENT.

Mr. MOON of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 8 minutes p. m.) the House adjourned until Tuesday, April 30, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Shallotte River, N. C. (H. Doc. No. 721), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 19236) to regulate the practice of osteopathy in the District of Columbia, reported the same with amendment, accompanied by a

report (No. 616), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 21708) to authorize the lighting of Piney Branch Road from Georgia Avenue to Butternut Street, reported the same without amendment, accompanied by a report (No. 617), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FOSTER, from the Committee on Mines and Mining, to which was referred the bill (H. R. 6304) to apply a portion of the proceeds of the sales of public lands to the endowment of schools or departments of mines and mining, and to regulate the expenditure thereof, reported the same with amendment, accompanied by a report (No. 619), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. OLMSTED, from the Committee on Insular Affairs, to which was referred the bill (H. R. 22143) to establish a qualified independent government for the Philippines and to fix the date when such qualified independence shall become absolute and complete, and for other purposes, submitted the views of the minority thereon (H. Rept. 606, pt. 2), which were ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House as follows:

Mr. RICHARDSON, from the Committee on Pensions, to which was referred the bill (S. 5623) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 618), which said bill and report were referred to the Private Calendar.

Mr. AINEY, from the Committee on Claims, to which was referred the bill (H. R. 22111) for the relief of the Delaware Transportation Co., owner of the American steamer *Dorothy*, reported the same without amendment, accompanied by a report (No. 620), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8434) granting an increase of pension to John Howell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12696) for the relief of M. J. Julian; Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 23552) granting an increase of pension to James Powers; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 23876) to license chauffeurs, conductors, and motormen in the District of Columbia; to the Committee on the District of Columbia.

By Mr. AUSTIN: A bill (H. R. 23877) authorizing and permitting the Tennessee Hydroelectric Co., its successors and assigns, to build and maintain a dam and water-power development in and across Powells River in Anderson County, State of Tennessee; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 23878) authorizing and permitting the Tennessee Hydroelectric Co., its successors and assigns, to build and maintain a dam and water-power development in and across Clinch River in Anderson County, State of Tennessee; to the Committee on Interstate and Foreign Commerce.

By Mr. LENROOT: A bill (H. R. 23879) to amend the act entitled "An act concerning carriers engaged in interstate commerce and their employees," approved June 1, 1898; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: A bill (H. R. 23880) authorizing the use of the reclamation funds in the construction of a bridge across Willow Creek in Modoc County, Cal., and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. STEPHENS of Texas: A bill (H. R. 23881) to amend an act entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," approved April 23, 1904 (33 Stat. L., p. 302), as amended by the act of March 3, 1909 (35 Stat. L., p. 796); to the Committee on Indian Affairs.

Also, a bill (H. R. 23882) providing for the leasing of allotted Indian lands within the limits of the Quapaw Agency in the State of Oklahoma, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 23883) to authorize the cancellation of an Omaha Indian allotment; to the Committee on Indian Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 23884) to amend the law relative to manufacture and sale of process or renovated or adulterated butter; to the Committee on Agriculture.

By Mr. CLAYTON: A bill (H. R. 23947) to limit the authority of circuit and district courts and circuit and district judges in granting injunctions and restraining orders; to the Committee on the Judiciary.

By Mr. LITTLEPAGE: A bill (H. R. 23948) granting to the Charleston-Dunbar Traction Co. the right to lay its tracks through, and erect its poles and string and maintain its wires upon, United States property at Lock and Dam No. 6, on the north side of the Great Kanawha River, in Kanawha County, W. Va.; to the Committee on Rivers and Harbors.

By Mr. LANGLEY (by request): Joint resolution (H. J. Res. 310) authorizing the publication of an edition of The Treasury of the Confederate States; or Documentary History of the Financial, Fiscal, and Commercial Measures of the Confederate States, edition by Raphael P. Thian; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 23885) granting an increase of pension to Gerhard Ferber; to the Committee on Invalid Pensions.

By Mr. ANDERSON of Minnesota: A bill (H. R. 23886) granting an increase of pension to James E. Cady; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23887) granting an increase of pension to John Reash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23888) granting an increase of pension to John Leroy McMichael; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23889) granting an increase of pension to George W. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23890) granting an increase of pension to George N. Van Wagener; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 23891) granting an increase of pension to Melvin J. Ringler; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 23892) granting an increase of pension to Selena Brewer; to the Committee on Invalid Pensions.

By Mr. BUCHANAN: A bill (H. R. 23893) granting an increase of pension to William Bode; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23894) granting an increase of pension to William H. Kipp; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 23895) for the relief of George Killeen; to the Committee on Claims.

By Mr. DE FOREST: A bill (H. R. 23896) granting an increase of pension to John O. Shufeldt; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 23897) for the relief of the legal representatives of W. H. Rookwood, deceased; to the Committee on War Claims.

By Mr. DONOHUE: A bill (H. R. 23898) granting a pension to Patrick J. Costello; to the Committee on Pensions.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 23899) authorizing a survey of Buffalo Harbor, N. Y.; to the Committee on Rivers and Harbors.

By Mr. ESCH: A bill (H. R. 23900) authorizing the President to reinstate Joseph Elliot Austin as an ensign in the United States Navy; to the Committee on Naval Affairs.

By Mr. ESTOPINAL: A bill (H. R. 23901) granting a pension to John H. Howlett; to the Committee on Invalid Pensions.

By Mr. FURNES: A bill (H. R. 23902) to reimburse the Gore-Duggan Engineering Co.; to the Committee on Claims.

By Mr. FOWLER: A bill (H. R. 23903) granting an increase of pension to Henry M. Yow; to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 23904) for the relief of the Grand Lodge of Tennessee, Independent Order of Odd Fellows; to the Committee on War Claims.

By Mr. GOEKE: A bill (H. R. 23905) granting an increase of pension to Moses K. Hitchcock; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 23906) granting an increase of pension to Charles E. Harris; to the Committee on Invalid Pensions.

By Mr. GREGG of Pennsylvania: A bill (H. R. 23907) granting an increase of pension to Jacob S. Shivler; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 23908) granting an increase of pension to Hiram Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23909) granting an increase of pension to Francis Mosena; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 23910) for the relief of Levi Fields, deceased; to the Committee on War Claims.

Also, a bill (H. R. 23911) granting an increase of pension to Thomas F. Lankford; to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 23912) granting an increase of pension to George Ross; to the Committee on Invalid Pensions.

By Mr. KONIG: A bill (H. R. 23913) for the relief of Julia Nolan, administratrix of the estate of Elizabeth Dean McArdle, deceased; to the Committee on War Claims.

By Mr. LAFEAN: A bill (H. R. 23914) granting a pension to Peter Markel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23915) granting an increase of pension to Martin J. Flegel; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 23916) granting an increase of pension to Thomas R. Lamison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23917) granting an increase of pension to John Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23918) granting an increase of pension to Robert Law; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23919) granting an increase of pension to Archibald Haddan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23920) granting an increase of pension to George Means; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23921) granting an increase of pension to William Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23922) granting an increase of pension to Jacob P. Reichert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23923) granting an increase of pension to Andrew W. McCullough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23924) granting an increase of pension to Thomas Lunger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23925) granting an increase of pension to Samuel M. Knox; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 23926) granting a pension to John R. Brennan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23927) to correct the military record of William S. Russell; to the Committee on Military Affairs.

By Mr. MCGILLICUDDY: A bill (H. R. 23928) for the relief of Humphrey A. Owen; to the Committee on Claims.

By Mr. MCKENZIE: A bill (H. R. 23929) granting a pension to Elizabeth H. Nichols; to the Committee on Invalid Pensions.

By Mr. MARTIN of South Dakota: A bill (H. R. 23930) granting an increase of pension to Henry C. Collins; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 23931) granting a pension to Andrew Solomon, alias Andrew Moore; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 23932) granting a pension to Irvin Thomas; to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 23933) granting an increase of pension to William J. Ferguson; to the Committee on Invalid Pensions.

By Mr. PEPPER: A bill (H. R. 23934) to authorize the appointment of Harold Hancock Taintor to the grade of second lieutenant in the Army; to the Committee on Military Affairs.

By Mr. POST: A bill (H. R. 23935) granting an increase of pension to James W. Fichthorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23936) granting an increase of pension to Thomas D. McElwain; to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 23937) granting an increase of pension to Charles H. Spencer; to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 23938) granting an increase of pension to Nelson Holcomb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23939) to legalize titles in the District of Columbia to certain citizens; to the Committee on the District of Columbia.

By Mr. SHACKLEFORD: A bill (H. R. 23940) for the relief of Samuel Lambeth; to the Committee on Military Affairs.

By Mr. SMITH of New York: A bill (H. R. 23941) granting an increase of pension to Edward C. Franklin; to the Committee on Pensions.

By Mr. TAGGART: A bill (H. R. 23942) granting an increase of pension to John Noble; to the Committee on Invalid Pensions.

By Mr. WARBURTON: A bill (H. R. 23943) granting a pension to Bernard H. Fowler; to the Committee on Pensions.

Also, a bill (H. R. 23944) granting an increase of pension to Humphrey D. Gifford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23945) granting an increase of pension to Thomas A. Davis; to the Committee on Pensions.

Also, a bill (H. R. 23946) granting an increase of pension to David Sypher; to the Committee on Invalid Pensions.

By Mr. HOWLAND: A bill (H. R. 23949) to grant an honorable discharge to William C. Haskell; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of voters of the first congressional district of Pennsylvania, against the seating of William S. Vare; to the Committee on Elections No. 1.

By Mr. ANDERSON of Minnesota: Petition of A. A. Walch and 6 others, of Rollingstone, Minn., against passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ANTHONY: Petition of citizens of Topeka, Kans., favoring passage of House bill 21225, relating to oleomargarine; to the Committee on Agriculture.

By Mr. ASHBROOK: Petition of Fred Johnson and 14 other citizens of Newark, Ohio, protesting against passage of interstate-commerce liquor legislation; to the Committee on the Judiciary.

Also, resolution of Public Service Commission of Ohio, asking that Congress give the Interstate Commerce Commission power to make a physical valuation of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of S. M. Warner and 6 other merchants of Fredericksburg, Ohio, asking Congress to give the Interstate Commerce Commission further power to control express companies; to the Committee on Interstate and Foreign Commerce.

By Mr. CALDER: Memorial of the Wireless Association of America, relative to regulating the use of the wireless telegraph; to the Committee on the Merchant Marine and Fisheries.

Also, petition of H. M. Randall, president of the Marine Society of New York City, for certain legislation to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of Solano County Society for the Prevention of Cruelty to Animals and Children, urging passage of House bill 17222; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Group No. 52 of the Polish National Alliance, protesting against an educational test in the immigration laws; to the Committee on Immigration and Naturalization.

By Mr. CARTER: Petitions of citizens of the State of Oklahoma, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Resolutions of the Wisconsin State Federation of Labor, favoring an investigation of the coal strike; to the Committee on Rules.

By Mr. DE FOREST: Resolution of the North Side Board of Trade in the city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. ESCH: Resolution of members of La Crosse Council, No. 94, United Commercial Travelers of America, against passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, resolution of the faculty of the State Normal School at Stevens Point, Wis., favoring passage of Senate bill 5, known as the Page bill, and House bill 21490, known as the Wilson bill; to the Committee on Agriculture.

Also, resolution of the Wisconsin State Federation of Labor, Milwaukee, Wis., favoring possession by the Government of coal mines and coal roads; to the Committee on Rules.

By Mr. ESTOPINAL: Petition of J. Barzana, of New Orleans, La., favoring passage of bill prohibiting use of trading coupons; to the Committee on Interstate and Foreign Commerce.

Also, petition of George P. Thompson, president of the Wholesale Grocers' Association of New Orleans, favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. FORNES: Petition of the McNab & Harlin Manufacturing Co., of New York City, relative to the operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Maritime Exchange of New York City, for certain legislation to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, memorial of P. T. Rowe, bishop of Alaska, relative to condition of the natives of Alaska; to the Committee on the Territories.

By Mr. FULLER: Petition of Chicago Coal Dealers' Association of Chicago, Ill., favoring the passage of bill to amend section 17 of the act to regulate commerce; to the Committee on Interstate and Foreign Commerce.

Also, petition of Brotherhood of American Yeomen, favoring the passage of the Dodds amendment to Post Office appropriation bill relating to publications of fraternal societies; to the Committee on the Post Office and Post Roads.

By Mr. GARRETT: Papers to accompany bill for the relief of the Grand Lodge of Tennessee, Independent Order of Odd Fellows; to the Committee on War Claims.

By Mr. GOLDFOGLE: Petition of the Janesville Iron Works Co., of Hazelton, Pa., and the Worthington Pumping Engines & Hydraulic Machinery Co., of Harrison, N. J., against amendment to Panama Canal bill prohibiting its use by any steamship company in which any railroad is interested; to the Committee on Interstate and Foreign Commerce.

Also, petition of Nordyke & Marmon Co. and the F. W. Spacke Machine Co., Indianapolis, Ind., against passage of bill to label all products; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the North Side Board of Trade, in the city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

Also, petition of W. D. Allison Co., Schnull & Co., and the H. Lauter Co., of Indianapolis, Ind., and A. B. Anderson & Co., of Chicago, Ill., against passage of House bill 16844, in regard to using trade-marks on all wares and products; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Mohawk and Hudson River Humane Society, of Gloversville, N. Y., and South Bend Humane Society, of South Bend, Ind., against passage of House bill 17222, relative to shipping of unweaned calves; to the Committee on Interstate and Foreign Commerce.

Also, petition of California Wholesale Grocers' Association, favoring passage of House bill known as the Stevens bill and Senate bill known as the Burton bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce of San Diego County, Cal., against passage of House bills 11372 and 20576, prohibiting the towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Medical Society of the State of New York, favoring passage of a bill for a department of health at Washington, D. C.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Brotherhood of American Yeomen, Des Moines, Iowa, urging passage of Dodds's amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. GUERNSEY: Petition of Ellis E. Boyden and 23 others, of Perry, Me., urging passage of House bill 19133, for postal-express system; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: Petition of the Woman's Christian Temperance Union of Washington State, favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Waitsburg, Wash., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. JAMES: Petition of citizens of Smithland, Ky., for the construction of a levee on the Mississippi River at Smithland, Ky.; to the Committee on Rivers and Harbors.

By Mr. LAFEAN: Evidence to be filed in support of House bill 450, granting an increase of pension to Samuel Platts, of York, Pa.; to the Committee on Invalid Pensions.

Also, petition of citizens of the State of Pennsylvania, favoring building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, evidence to be filed in support of bill granting an increase of pension to Martin J. Flegel, of York, Pa.; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: Petition of residents of Pottsville, Pa., protesting against House bill 9433; to the Committee on the Post Office and Post Roads.

Also, petition of J. D. Scanlan, of Shenandoah, Pa., for enactment of legislation prohibiting the use of trading coupons; to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of Calvin Tompkins, commissioner of docks of New York, relative to improvement of Jamaica Bay; to the Committee on Rivers and Harbors.

Also, petition of W. E. B. Du Bois, of the National Association for the Advancement of Colored People, for an appropriation to celebrate the fiftieth anniversary of the emancipation of slaves in the United States; to the Committee on Appropriations.

By Mr. MAHER: Petition of the delegates of the Medical Society of the State of New York, urging establishment of a national department of health in Washington, D. C.; to the Committee on Interstate and Foreign Commerce.

Also, resolution of North Side Board of Trade in the city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. MONDELL: Petition of sundry citizens of Cheyenne, Wyo., in support of House bill 22339 and Senate bill 6172, measures opposing the Taylor system of shop management for Government employees; to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Papers to accompany bill for relief of Andrew Solomon, alias Andrew Moore, of Haworth, Tenn.; to the Committee on Invalid Pensions.

Also, papers to accompany bill for relief of W. W. Rutledge, of Chattanooga, Tenn. (H. R. 18625); to the Committee on War Claims.

By Mr. MORSE of Wisconsin: Petition of Retail Liquor Dealers of Wausau, Wis., protesting against enacting any laws prohibiting the sale at retail of malt and spirituous liquors in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MOTT: Petition of Adams (N. Y.) Grange, No. 391, favoring passage of Senate bill 5474 and House bill 19133; to the Committee on the Post Office and Post Roads.

Also, petition of New York Board of Trade and Transportation for amendment to rivers and harbors bill; to the Committee on Rivers and Harbors.

By Mr. NEEDHAM: Memorial of the Central Labor Council of Los Angeles, Cal., for Government ownership of the railroad corporations; to the Committee on the Judiciary.

Also, resolutions of Lindsay Center, of California Civic League, Lindsay, Cal., favoring passage of bill for appropriation to enforce the white-slave traffic act; to the Committee on Appropriations.

Also, petition of citizens of California, favoring passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of the Woman's Christian Temperance Union of Parlier, Fresno County, Cal., favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, resolution of board of directors of the San Francisco Chamber of Commerce, favoring passage of Senate bill 4308 and House bill 17736, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, resolution of the California wholesale grocers, favoring passage of the House bill known as the Stevens bill and Senate bill known as the Burton bill; to the Committee on Interstate and Foreign Commerce.

By Mr. PALMER: Resolution of Division No. 147, Order Railway Conductors, Easton, Pa., urging passage of House bill 20487, known as the Federal accident compensation act; to the Committee on the Judiciary.

By Mr. PLUMLEY: Petition of citizens of Vermont, protesting against passage of Senate bill 1, to establish a national department of health; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Posts Nos. 4 and 15, Grand Army of the Republic, of Vermont, for enactment of House bill 14070; to the Committee on Invalid Pensions.

By Mr. RAKER: Letter from the Surbrug Co., of New York City, N. Y., against passage of Senate bill 6103 and House bill 22766, prohibiting the use of trading coupons; to the Committee on Ways and Means.

By Mr. RUCKER of Colorado: Petition of Jesse Vetter and others, of Denver Colo., favoring the passage of House bill 22339 and Senate bill 6172; to the Committee on the Judiciary.

By Mr. SCULLY: Petitions of Posts Nos. 73 and 114, Grand Army of the Republic, for enactment of House bill 14070; to the Committee on Invalid Pensions.

Also, petition of Ira B. Tice Lodge, No. 309, Brotherhood of Railroad Trainmen, for enactment of Senate bill 5382 and House bill 20487; to the Committee on the Judiciary.

By Mr. SLAYDEN: Petition of Local No. 14, Carpenters and Joiners of America, for enactment of House bill 22339; to the Committee on the Judiciary.

By Mr. SMITH of New York: Resolution of the North Side Board of Trade in the city of New York, favoring bill for the improvement of Bronx Kills, Harlem River, and East River in New York City; to the Committee on Rivers and Harbors.

By Mr. SPEER: Affidavits in support of House bill 9410, granting a pension to Lorinda D. Smith; to the Committee on Invalid Pensions.

By Mr. TUTTLE: Petitions of Lodge No. 167, International Association of Machinists, and Local No. 9, Polishers, Buffers, and Platers, for enactment of House bill 22339; to the Committee on the Judiciary.

Also, petition of Bergen County Pomona Grange, No. 11, of Preakness, N. J., favoring passage of a parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. UNDERHILL: Memorial of the Medical Society of the State of New York, for the creation of a national department of health; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the North Side Board of Trade, city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

SENATE.

TUESDAY, April 30, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SIMMONS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 4314. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5415. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5493. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 19721. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors; and

S. J. Res. 102. Joint resolution relative to the rebuilding of certain levees on the Mississippi River and its tributaries.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of the congregations of the Susquehanna Avenue Church, the West Park Church, the Gaston Church, the Tennant Church, the Fletcher Methodist Episcopal Church, the Cookman Methodist Episcopal Church, the St. Paul's Reformed Episcopal Church, and the Temple Baptist Church; of the Tioga Woman's Christian Temperance Union, and of the Civic Club of Olney, all of Philadelphia, in the State of Pennsylvania; of Integrity Lodge, Independent Order of Good Templars, of Worcester, Mass.; and of the congregation of the Church of Our Father, of Spencer, Mass., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.